

As further grounds for this motion, NHCS states as follows:

I. Plaintiff Improperly Refused to Participate in Her Deposition

A. Stevenson Refused to Answer Questions That Are Directly Relevant to the Claims and Defenses in this Case

Stevenson stubbornly refused to answer questions on a variety of subjects, with no proper basis for her refusals. From the beginning of her deposition, Stevenson refused to answer even very simple background questions. For example, Stevenson refused to divulge her residential address and engaged in an extended effort to evade questions on that subject. *See* Excerpted Transcript of Deposition of Janice Stevenson (“Trans.”), attached as Exhibit A, 15:2 – 27:14, 113:10 – 122:18. In the course of her disingenuous gamesmanship, she testified that she did not know where she had slept the night before her deposition and that she did not know whether there is a place to which she customarily returns to sleep at night. Trans. 116:20 – 117:10. She similarly refused to identify the high school she attended, stating as her grounds “Because I don’t think I want you investigating my past.” Trans. 86:8 – 88:16.

Stevenson also refused to answer questions about subject matter that directly relates to her claims in this case. In Count I of her Complaint, Stevenson argues that the School errantly classified her as an independent contractor and that she is entitled to “overtime” pay under the Fair Labor Standards Act for hours she spent providing services to the School through her own company, TuckNT. *See* Amended Complaint, ¶¶ 5, 18 - 23. Nonetheless, Stevenson refused to answer questions that relate to her status as an independent contractor. For example, Stevenson repeatedly refused to answer questions about whether she performed services for NHCS from her home. *See* Trans. 285:1 – 287:24. This information bears directly on her status as an independent contractor. *See, e.g., Morrison v. Int’l Programs Consortium, Inc.*, 253 F.3d 5, 10 (D.C. Cir. 2001) (considering worker’s performing services from her home among factors

bearing on independent contractor status); *Com. v. Savage*, 31 Mass. App. Ct. 714, (1991) (fact that worker maintained home office and performed services from home supported finding that she was an independent contractor). Whether Stevenson performed services for NHCS from her home also bears on the number of “overtime” hours she claims to have worked, and is essential to any calculation of her putative damages in this matter.

Stevenson also refused to testify as to whether she maintained a computer at her residence during the period of time that she performed services for NHCS. Trans. 187:13-17, 291:15 – 293:1. She similarly refused to testify as to whether she accessed the online payroll system that she used in performing services from her home. Trans. 189:9 – 190:7. When it was established that she did own a computer during some period of time that may have bordered on the timeframe relevant to this case, she refused to answer questions about how she came to possess it. Trans. 180:1 – 182:16. This information is also directly relevant to Stevenson’s status as an independent contractor. *See, e.g., Santelices v. Cable Wiring, Inc.*, 147 F. Supp. 2d 1313, 1320-21 (S.D. Fla. 2001) (worker’s investment in tools of trade relevant to independent contractor status); *Savage*, 31 Mass. App. Ct. at 716 (considering worker’s purchase of her own supplies in determining independent contractor status).

In addition to specific questions to which she refused to respond, Stevenson categorically refused to answer questions about any subject matter bearing on her currently pending bankruptcy petition.¹ *See, e.g.*, Trans. 539:21 – 542:7. That field of inquiry includes questions that are indisputably relevant to her claims in this matter. For example, in the context of

¹ Stevenson’s refusals in this regard appear to be motivated by the fact that she has made misrepresentations to the Bankruptcy Court. The Chapter 13 Trustee assigned to Stevenson’s bankruptcy case has informed counsel for NHCS that Stevenson failed to report the pendency of this action to the Trustee or to the Bankruptcy Court, and that the testimony Stevenson gave at her deposition in this matter is inconsistent with her representations to the Bankruptcy Court. When NHCS’s counsel asked Stevenson questions as to whether she had reported this matter to the Bankruptcy Court, she engaged in a variety of infantile behavior including ignoring counsel’s questions and playing with a magnifying glass that NHCS’s counsel provided for her convenience in reviewing documents. Trans. 444:12 – 446:1.

questioning related to her bankruptcy, Stevenson was presented with numerous exhibits reflecting adversary proceedings she commenced against the Massachusetts School of Law relating to her attendance at that institution. She claimed to have no memory of these multiple lawsuits and appeals, and she refused to answer questions related to her attendance at law school.² This subject matter is centrally relevant to Stevenson's claims against NHCS because the services that she provided to NHCS, by her own description, included advice on compliance with a panoply of state and federal laws and regulations.³ Trans. 663:9 – 666:16, 674:6 – 675:23, 679:18 – 681:10. She further testified that the services she performed for NHCS included research on legal topics. Trans. 664:4-13, 690:10-22. Stevenson's legal education relates directly to the expertise that she brought to bear on these issues of legal compliance, and there is no question that such expertise is material to whether, as NHCS contends, the services she performed are subject to the Fair Labor Standards Act's white collar exemptions. *See, e.g., Kavanagh v. City of Phoenix*, 87 F. Supp. 2d 958, 964 (D. Ariz. 2000) (holding worker who spent time "dispensing legal advice" by "analyzing data and drawing conclusions" and "making recommendations" was subject to professional and administrative exemptions to FLSA overtime requirements). Stevenson's refusals to discuss subject matter such as her law school education, therefore, have unjustifiably deprived NHCS of evidence necessary to respond to her claims.

² On this point, Stevenson's obstinance was manifested in repeated claims that she had, in fact, answered the question at an earlier stage of the deposition and a refusal to answer any question twice. *See, e.g.,* Trans. 547:17 – 548:14, 564:12 – 567:12, 571:15 – 572:14. In fact, Stevenson never responded in substance to NHCS's counsel's questions as to whether she attended law school.

³ Whether Stevenson attended the Massachusetts School of Law also bears on her credibility as a witness. Stevenson gave false and contradictory testimony on a number of points, and she attempted to mitigate the impact of her irreconcilable responses by refusing to answer further questions after her deception was exposed. For example, early in her deposition, she described herself as "ignorant," stating that she had only finished the eleventh grade. Trans. 87:5-22. After laborious cross-examination, Stevenson eventually admitted that, in fact, she graduated from college and took several post-graduate courses toward a Master's Degree. Trans. 195:23 – 198:4. After these facts were established, she repeatedly insisted that she had exhausted her educational credentials. Trans. 129:14-15, 156:10-15, 532:10-20. That testimony was false, and when faced with evidence of her deception, Stevenson refused to proceed or respond to further inquiries on this topic.

B. Stevenson Refused Even To Look At A Number of Documents Marked As Exhibits To Her Deposition

Stevenson childishly refused to review numerous documents that NHCS's counsel marked as exhibits to her deposition because she knew that testimony on the subject matter of those documents would paint her in an unflattering light and expose falsehoods in her prior testimony. Stevenson's obstructive behavior needlessly extended the length of her deposition by many hours and extended the transcript of her deposition by hundreds of pages.

After Stevenson falsely testified that she had filed for bankruptcy only once in her life, NHCS's counsel marked as an exhibit the docket from a prior bankruptcy proceeding she had commenced in Louisiana. Stevenson refused to look at the document, then refused to answer any questions that bordered on the subject of bankruptcy. Trans. 442:16 – 444:11. She then ignored questions that NHCS's counsel asked that had a direct bearing on her claims in this matter, refusing to give any verbal response to questions about the relationship between her claims in this matter and her currently pending bankruptcy. Trans. 446:24 – 448:13.

Stevenson also refused to review documents that pertained to her history as a serial litigant. In the first session of her deposition, Stevenson testified that, other than the various proceedings she had commenced against NHCS and appearances in traffic or small claims court, she had been a party to only one other litigation proceeding. Trans. 77:22 – 78:15. NHCS's counsel then marked as exhibits documents reflecting that Stevenson has, in fact, initiated numerous lawsuits in state and federal court against a wide variety individuals and government agencies, in some cases seeking hundreds of millions of dollars in damages.⁴ Stevenson refused even to look at the documents or answer even the most basic questions relating to them. Trans. 449:19 – 451:14 (refusing to look at docket from Tax Court case against IRS), 458:1 – 464:3

⁴ For example, Stevenson commenced two lawsuits against the Andover Public Schools for \$175,500,000 and \$250,000,000, respectively. See USDC MA Docket Nos. 02-cv-12381, 03-cv-11420.

(refusing to look at decision from Fifth Circuit Court of Appeals in claim Stevenson filed against U.S. government and a federal judge), 474:4 – 476:12 (refusing to look at or handle docket from Stevenson’s civil rights suit against State of Vermont), 500:9 – 501:11, 511:18 – 515:7 (refusing to look at docket from case Stevenson commenced against a charitable organization that ran a homeless shelter, stating “I don’t want to do this” because “it does not reflect well on the record”), 550:4 – 554:16 (refusing to review document related to claims against Massachusetts School of Law). Stevenson also refused to verify her signature on documents that she has filed with various courts. *See, e.g.*, Trans. 479:9 – 483:1, 489:6 – 491:2. She even refused to acknowledge that her name appeared in print on documents placed before her as exhibits. *See* Trans. 502:7 – 503:3, 508:14 – 510:1, 516:4-14, 519:19 – 520:7, 605:3-606:6. These instances are far from an exhaustive review of Stevenson’s stubborn refusals to review documents or answer questions, and NHCS is prepared to submit additional examples of her intransigence, if the Court so requests.

II. Stevenson Had No Proper Basis for Her Refusals

A. A Party Witness May Not Refuse To Answer Deposition Questions on Grounds of Relevance

Stevenson exhibited willful disregard for her discovery obligations in refusing to answer questions or review documents at her deposition. It is well settled that a party witness may not refuse to answer questions on grounds of relevance. Fed. R. Civ. P. 30(c); *Gober v. City of Leesburg*, 197 F.R.D 519, 520 (M.D. Fla. 2000) (holding refusal to answer question on grounds of relevance was improper and sanctionable); *Athridge v. Aetna Cas. & Sur. Co.*, 184 F.R.D. 200, 208 (D.D.C. 1998) (holding witness’s refusal to answer question on grounds of relevance or on grounds that question was asked and answered was improper and sanctionable). Making allowances for Stevenson’s *pro se* status, NHCS’s counsel informed her that the School believed

her refusals to be improper, and that the Rules of Civil Procedure required that her testimony be taken subject to any objections she made. Counsel went so far as to provide Stevenson with a copy of the governing rule and explain to her in detail NHCS's position regarding her improper objections. Trans. 107:13 – 111:24. She nonetheless persisted in evading and refusing to respond to questions.

B. Stevenson's Constitutional Objections Are Improper

After NHCS's counsel explained the School's position that Stevenson could not properly refuse to answer questions on grounds of relevance, she began to cite inapplicable constitutional provisions as the basis for her refusals to testify. She initially cited the Fifth Amendment, in response to questions about her Social Security Number, marital status, the date that she moved to Massachusetts, and where she stores documents that may be responsive to Defendant's Requests for Production of Documents. Trans. 123:17 – 124:5, 126:10-21, 130:21 – 131:4, 176:3-14. In light of Stevenson's *pro se* status, NHCS's counsel indulged her improper constitutional objections and explained to her that the School believed that her assertion of the Fifth Amendment privilege was inappropriate and, after she continued to refuse to cooperate, informed her that the School would seek relief from the Court. Trans. 125:6 – 126:1. Stevenson then invoked the Fourteenth Amendment (providing for due process and equal protection), and later the Seventh Amendment (providing for jury trials) and the Ninth Amendment (providing that certain unenumerated rights are retained by the people) in response to very simple factual questions. *See* Trans. 126:22, 466:2 – 467:8. Plainly, none of these constitutional provisions has any bearing on the questions to which Stevenson refused to respond, and she raised them for purely dilatory purposes.

III. Stevenson's Misconduct Warrants Imposition of Harsh Sanctions

Stevenson's conduct at deposition constitutes an inexcusable disregard for her discovery obligations as a plaintiff. Moreover, as discussed in detail in Defendant's Motion to Compel Production of Documents and for Sanctions (docket nos. 32-33), Stevenson's refusal to participate in her deposition is compounded by her failure to comply with the School's document request. In light of Stevenson's serious and continuing pattern of misconduct, the Court should impose substantial sanctions against her.

A. The Court Should Dismiss Stevenson's Claims With Prejudice

It is within the Court's inherent powers to dismiss a plaintiff's claims as a sanction for her discovery abuses. *Torres-Vargas v. Pereira*, 431 F.3d 389, 392 (1st Cir. 2005) (collecting authorities); *Ortiz-Lopez v. Sociedad Espanola de Auxilio Mutuo Y Beneficiencia de Puerto Rico*, 248 F.3d 29, 37 (1st Cir. 2001) (District Court was within its discretion to dismiss plaintiff's claims with prejudice for contumacious discovery abuses); Fed.R.Civ.P. 37(b)(2)(C). In this case, Stevenson's abuses are rampant and willful. She refused to answer even questions seeking basic factual information about her claims, and even refused to review documents placed before her. She has also continued through the date of this motion to fail and refuse to produce documents responsive to NHCS's requests, while at the same time continuing to file such responsive documents with various state and federal agencies. *See, e.g.*, Trans. 640:4 – 642:20. Stevenson's conduct is grounds for the harshest of sanctions, including dismissal of her claims with prejudice.

Stevenson's baseless invocation of the inapposite constitutional privileges is, itself, sufficient grounds for the dismissal of her claims. When a plaintiff invokes the privilege against self-incrimination in refusing to answer relevant questions during her deposition, it is within the Court's discretion to dismiss her claims. *Serafino v. Hasbro, Inc.*, 893 F. Supp. 104, 107 (D.

Mass. 1995) (collecting authorities) *aff'd* 82 F.2d 515, 518 (1st Cir. 1996). The Court may dismiss a plaintiff's claims for failure to answer relevant deposition questions even in the absence of a prior order compelling answers. *The Stop & Shop Cos., Inc. v. Interstate Cigar Co.*, 110 F.R.D. 105, 108 (D. Mass. 1986). Here, Stevenson has deprived NHCS of evidence necessary to respond to her claims that the School misclassified her as an independent contractor, and the Court should not allow her to continue to pursue those claims while refusing to participate in discovery.

B. In the Alternative, the Court Should Order Stevenson to Pay Substantial Monetary Sanctions and to Provide Complete and Truthful Deposition Testimony

If the Court allows Stevenson to continue to pursue her claims, notwithstanding her misconduct, it should require her to pay substantial monetary sanctions to the School, and it should Order her to appear for a continued deposition and to participate in her deposition fully and in good faith. Stevenson's conduct at deposition made the examination take markedly longer than was necessary. She was unduly combative on virtually every point, stretching what should have been a routine deposition into a grueling two-day examination spanning nearly 800 pages of transcript. Her conduct has caused NHCS to incur thousands of dollars in unnecessary and unjustifiable expenses, which has diverted resources away from the School's public service mission. The Court should hold Stevenson responsible for these expenses in full and Order her to repay NHCS its costs, including attorneys' fees, in taking her extended deposition and bringing the present motion.

CONCLUSION

WHEREFORE, Defendant respectfully requests that the Court dismiss Plaintiff's claims in this matter in their entirety and with prejudice as a sanction for her discovery abuses. In the alternative, Defendant requests that the Court Order Plaintiff to pay substantial monetary sanctions to NHCS, appear for further deposition, and provide substantive answers to all questions asked.

Respectfully submitted,
NEIGHBORHOOD HOUSE CHARTER
SCHOOL,
By its attorneys,

/s/ Barry J. Miller

Lynn A. Kappelman (BBO # 642017)

Barry J. Miller (BBO # 661596)

SEYFARTH SHAW LLP

World Trade Center East

Two Seaport Lane, Suite 300

Boston, MA 02210-2028

Telephone: (617) 946-4800

Telecopier: (617) 946-4801

DATED: September 22, 2006

CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 7.1 AND 37.1

I hereby certify that I attempted in good faith to resolve or narrow the issues presented by this motion by conferring with *pro se* Plaintiff Janice Stevenson. During Plaintiff's deposition, on September 7 and 14, 2006, I engaged in on-the-record conversations with Plaintiff and informed her that Defendant believed her refusal to answer questions and otherwise to participate in the deposition was inappropriate and grounds for sanctions. I also repeatedly stated to Plaintiff that Defendant intended to seek relief from the Court for her intransigence. Plaintiff continued to refuse to answer questions and participate in the deposition.

/s/ Barry J. Miller

Barry J. Miller

CERTIFICATE OF SERVICE

I, Barry J. Miller, hereby certify that on this 22nd day of September, 2006, a true copy of the foregoing document was sent by electronic mail to Janice Stevenson at janicestevensonus@gmail.com and by First Class Mail to P.O. Box 400372. Cambridge, MA, 02140.

/s/ Barry J. Miller

Barry J. Miller

Janice L. Stevenson

09/07/2006

Page 1

09:56:32

VOLUME: I

PAGES: 1 to 407

EXHIBITS: See Index

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

- - - - - x

JANICE STEVENSON

Plaintiff

Civil Action

v.

No. 05-CV-11584-DPW

NEIGHBORHOOD HOUSE CHARTER SCHOOL

Defendant

- - - - - x

DEPOSITION of JANICE L. STEVENSON

Thursday, September 7, 2006

10:30 a.m.

Seyfarth Shaw LLP

Two Seaport Lane

Boston, Massachusetts

Michelle Keegan, Court Reporter

Janice L. Stevenson

09/07/2006

Page 14	Page 16
<p>10:34:54 1 Q. Could you give us your full legal name, 10:34:58 2 please. 10:34:58 3 A. Janice, J-A-N-I-C-E, Stevenson, S-T-E 10:35:07 4 V-E-N-S-O-N. 10:35:07 5 Q. And your middle name? 10:35:09 6 A. Well, the IRS says it's Wilson. The state 10:35:15 7 of Texas it's Lorraine. 10:35:18 8 Q. Is Wilson your middle name? 10:35:20 9 A. Yes. 10:35:21 10 Q. So your given name was Janice Lorraine 10:35:27 11 Stevenson and you subsequently -- I'm sorry. Janice 10:35:31 12 Lorraine Wilson was your given name? 10:35:33 13 A. Yes. 10:35:34 14 Q. And then at some point you were married and 10:35:37 15 took the name Stevenson? 10:35:38 16 A. Yeah, I took the name. 10:35:39 17 Q. Have you ever been known by any other name 10:35:42 18 or alias? 10:35:43 19 A. No, I don't use aliases. 10:35:45 20 Q. Any other variation on your name? 10:35:47 21 A. No, unless the person doesn't understand my 10:35:50 22 accent and they got Janet and I tried to say, No. 10:35:53 23 Janice. It's all in the translation. 10:35:57 24 Q. But you've never deliberately used anything?</p>	<p>10:36:56 1 A. No. 10:36:57 2 Q. So under what circumstances are you staying 10:36:59 3 in that building? 10:36:59 4 A. In the daytime. 10:37:03 5 Q. So is it a public assistance facility? 10:37:05 6 A. Kind of. 10:37:07 7 Q. What's the name of it? 10:37:08 8 A. I don't know. 10:37:12 9 Q. How did you come to be staying there? 10:37:17 10 A. I don't stay there. Didn't we just go 10:37:19 11 through that? I don't stay there. 10:37:20 12 Q. Is that a work address? 10:37:22 13 A. No. 10:37:22 14 Q. This is just a place that you go during the 10:37:25 15 day? 10:37:26 16 A. Yes. 10:37:26 17 Q. For what purpose? 10:37:27 18 A. It depends. 10:37:30 19 Q. For example? 10:37:30 20 A. I have no examples. 10:37:36 21 Q. When was the last time you were there? 10:37:39 22 A. Two days ago. 10:37:43 23 Q. And what were you doing there? 10:37:44 24 A. Talking to someone.</p>
Page 15	Page 17
<p>10:36:01 1 A. No, no, no, no, no. 10:36:02 2 Q. What's your home address? 10:36:04 3 A. Post Office Box 400372, Cambridge 02140. 10:36:16 4 Q. That's your mailing address, correct? 10:36:18 5 A. Yes. 10:36:18 6 Q. What's the address of your residence? 10:36:20 7 A. Do you really need that? 10:36:23 8 Q. This isn't for you to debate. Your only job 10:36:26 9 here is to answer the questions that I ask. 10:36:28 10 A. I'll give you a physical address. It 10:36:30 11 probably won't be where I live at, but it's a little 10:36:34 12 more permanent than where I am. 10:36:36 13 Q. Okay. Why don't you give me the address you 10:36:39 14 have in mind. 10:36:39 15 A. 647 Massachusetts Avenue. 10:36:39 16 Q. Is that in Cambridge? 10:36:42 17 A. Yes. 10:36:43 18 Q. And who owns that building? 10:36:48 19 A. I have no idea. 10:36:49 20 Q. Are you renting an apartment in that 10:36:52 21 building? 10:36:52 22 A. No. 10:36:53 23 Q. Are you staying with someone who is renting 10:36:55 24 an apartment in that building?</p>	<p>10:37:48 1 Q. Who? 10:37:49 2 A. I don't know her name. 10:37:54 3 Q. What were you talking about? 10:37:55 4 A. I forget the subject. 10:38:01 5 Q. Was this a business-related conversation? 10:38:03 6 A. No. 10:38:04 7 Q. Is there any sort of business that's housed 10:38:07 8 in this housing? 10:38:09 9 A. Probably. 10:38:10 10 Q. Is it a residence? 10:38:11 11 A. I don't know. Probably so. I don't know. 10:38:13 12 I don't go beyond where I have to go there. 10:38:15 13 Q. Okay. Why do you have to go there? 10:38:17 14 A. I guess it's -- Why do you go anywhere? 10:38:25 15 Because it's someplace to go. You go. 10:38:28 16 Q. And are there people you tend to meet there? 10:38:31 17 Is this a meeting facility? 10:38:32 18 A. Parts of it. 10:38:35 19 Q. Are you employed there? 10:38:35 20 A. Didn't we just answer that question? 10:38:39 21 Q. I don't think we did. 10:38:40 22 A. Yes, you did. 10:38:41 23 Q. Mrs. Stevenson, the purpose of this is not 10:38:44 24 to debate.</p>

5 (Pages 14 to 17)

Janice L. Stevenson

09/07/2006

Page 18	Page 20
<p>10:38:44 1 A. I'm not debating.</p> <p>10:38:46 2 Q. Let me get my responses out so Ms. Keegan</p> <p>10:38:48 3 can take them down.</p> <p>10:38:50 4 The purpose of this deposition is not a</p> <p>10:38:51 5 debate, it's not a game for you to try to evade my</p> <p>10:38:54 6 questions. If you don't give me direct answers to</p> <p>10:38:56 7 the questions I ask you and give me answers that</p> <p>10:38:59 8 meet the substance of my question, there's no chance</p> <p>10:39:01 9 that we're going to finish this today let alone</p> <p>10:39:04 10 within two hours. Okay?</p> <p>10:39:05 11 A. I gave you the address.</p> <p>10:39:07 12 Q. And I'm asking you why you visit that</p> <p>10:39:09 13 address, and you've given me a series of very</p> <p>10:39:12 14 evasive responses.</p> <p>10:39:13 15 A. I don't think it's evasive.</p> <p>10:39:15 16 Q. If you won't tell me the purpose you're</p> <p>10:39:17 17 going there, you won't tell me if you're using it as</p> <p>10:39:19 18 a residence or business --</p> <p>10:39:20 19 A. You asked for a physical address. You have</p> <p>10:39:22 20 one.</p> <p>10:39:23 21 Q. And I'm asking you what you do at that</p> <p>10:39:24 22 address.</p> <p>10:39:25 23 A. Nothing.</p> <p>10:39:26 24 Q. You do nothing at that address?</p>	<p>10:40:10 1 A. (No verbal response)</p> <p>10:40:16 2 Q. Do you understand the question?</p> <p>10:40:17 3 A. We need to move on to another question.</p> <p>10:40:22 4 Q. No, Ms. Stevenson. You need to answer the</p> <p>10:40:23 5 question.</p> <p>10:40:24 6 A. Then we have stalled.</p> <p>10:40:24 7 Q. You're going to refuse to tell me your</p> <p>10:40:27 8 address?</p> <p>10:40:27 9 A. Yes. If I've given you one, you need to</p> <p>10:40:30 10 move on.</p> <p>10:40:30 11 Q. You haven't, for the record, given me an</p> <p>10:40:33 12 address where you live, correct?</p> <p>10:40:34 13 A. That's not correct.</p> <p>10:40:35 14 Q. So you're now the telling me you live at 647</p> <p>10:40:38 15 Mass. Ave; is that right?</p> <p>10:40:45 16 A. Maybe you need to reread the transcript.</p> <p>10:40:48 17 Q. There's no reason for that. All we have now</p> <p>10:40:51 18 is notes. You can just answer my question. I asked</p> <p>10:40:54 19 you for --</p> <p>10:40:55 20 A. I'm not going to answer the question again.</p> <p>10:40:59 21 Q. I asked you for an address and you gave me a</p> <p>10:41:02 22 P.O. box, right? Is that correct?</p> <p>10:41:05 23 A. You want an e-mail address?</p> <p>10:41:07 24 Q. No. I want you to respond to my questions</p>
Page 19	Page 21
<p>10:39:27 1 A. I do nothing.</p> <p>10:39:28 2 Q. So if I want to track you down and I go to</p> <p>10:39:32 3 this address I will find you there doing nothing?</p> <p>10:39:32 4 A. Why would you track me down?</p> <p>10:39:35 5 Q. Ms. Stevenson, the purpose is not for you to</p> <p>10:39:38 6 debate me or ask the purpose of my questions. The</p> <p>10:39:40 7 purpose for you being here today is only to --</p> <p>10:39:42 8 A. Are you trying to irritate me?</p> <p>10:39:44 9 Q. No, I'm not trying to irritate you. I'm</p> <p>10:39:47 10 trying to get substantive responses to my questions.</p> <p>10:39:49 11 A. Can we move on to another question and move</p> <p>10:39:51 12 back?</p> <p>10:39:51 13 Q. Absolutely not.</p> <p>10:39:52 14 A. Then we have stalled.</p> <p>10:39:53 15 Q. You need to give me a substantive response</p> <p>10:39:56 16 to my question.</p> <p>10:39:56 17 A. I will not.</p> <p>10:39:57 18 Q. You refuse to give me --</p> <p>10:39:59 19 A. Yes, that's the answer.</p> <p>10:40:00 20 Q. And you've characterized this facility that</p> <p>10:40:02 21 you refuse to tell me your purpose of going to as</p> <p>10:40:06 22 somewhere you go in the daytime; is that right?</p> <p>10:40:08 23 A. Yup.</p> <p>10:40:08 24 Q. Where do you live?</p>	<p>10:41:09 1 and only my questions as we discussed before. I</p> <p>10:41:11 2 asked you for an address and you gave me a P.O. box,</p> <p>10:41:13 3 correct?</p> <p>10:41:14 4 A. Yes.</p> <p>10:41:14 5 Q. And then I asked you for a physical address</p> <p>10:41:17 6 and you gave me 647 Mass. Ave, correct?</p> <p>10:41:21 7 A. Yes, I did.</p> <p>10:41:21 8 Q. You told me you go there in the daytime,</p> <p>10:41:24 9 correct?</p> <p>10:41:24 10 A. Yes.</p> <p>10:41:24 11 Q. So that's not your residence, correct?</p> <p>10:41:26 12 A. I thought we said that.</p> <p>10:41:26 13 Q. Is that your response, that's not your</p> <p>10:41:27 14 residence?</p> <p>10:41:28 15 A. I've answered this question.</p> <p>10:41:31 16 Q. Tell me the answer again and then we can</p> <p>10:41:33 17 move on.</p> <p>10:41:33 18 A. I'm not going to answer questions twice.</p> <p>10:41:35 19 Let's set the ground rules. I'm not answering</p> <p>10:41:38 20 questions twice, Mr. Miller. I answered you</p> <p>10:41:40 21 truthfully, but I'm not going to answer it twice.</p> <p>10:41:43 22 You asked me do I work there, you asked me do I live</p> <p>10:41:45 23 there.</p> <p>10:41:45 24 Q. And your response was no, correct?</p>

6 (Pages 18 to 21)

Legalink Boston, a Merrill Communications Company
(617) 542-0039

eb2827ab-6285-4fb1-b765-9962caa2bd64

Janice L. Stevenson

09/07/2006

Page 22	Page 24
<p>10:41:47 1 A. Why do I go there?</p> <p>10:41:48 2 Q. Ms. Stevenson, this is not productive for</p> <p>10:41:50 3 you to debate.</p> <p>10:41:51 4 A. No, we're not. Do you want to go to number</p> <p>10:41:54 5 3?</p> <p>10:41:54 6 Q. Absolutely.</p> <p>10:41:54 7 A. Let's go.</p> <p>10:41:54 8 Q. Now, is 647 Mass. Ave your residential</p> <p>10:41:58 9 address?</p> <p>10:41:59 10 A. Let's go to number 4.</p> <p>10:42:00 11 Q. You're refusing to answer that question?</p> <p>10:42:02 12 A. Yes.</p> <p>10:42:02 13 Q. And do you have any other residential</p> <p>10:42:05 14 address?</p> <p>10:42:06 15 A. No.</p> <p>10:42:09 16 Q. You have no other residential address, is</p> <p>10:42:17 17 that your testimony?</p> <p>10:42:18 18 A. Mr. Miller, why are you badgering me?</p> <p>10:42:28 19 Q. Because you're not answering very simple</p> <p>10:42:30 20 questions.</p> <p>10:42:30 21 A. You're being mean to me.</p> <p>10:42:31 22 Q. I'm not being the least bit mean to you,</p> <p>10:42:34 23 Ms. Stevenson. I've done nothing other than ask you</p> <p>10:42:38 24 very simple factual questions that you're trying to</p>	<p>10:43:35 1 A. I'm not trying to take --</p> <p>10:43:36 2 Q. You do not decide what is relevant to your</p> <p>10:43:39 3 claims.</p> <p>10:43:40 4 A. This question, what will we have achieved?</p> <p>10:43:44 5 Q. Ms. Stevenson, your purpose is not to</p> <p>10:43:47 6 question my motives here, it's not to question the</p> <p>10:43:49 7 reason for my examination of you.</p> <p>10:43:50 8 A. Do you want to cooperate?</p> <p>10:43:51 9 Q. Would you let me --</p> <p>10:43:52 10 A. We need to discover stuff here, right? I'd</p> <p>10:43:56 11 like to know what questions you're asking.</p> <p>10:43:58 12 By the way, can I have a copy?</p> <p>10:44:00 13 Q. Absolutely not. This is privileged</p> <p>10:44:02 14 material.</p> <p>10:44:02 15 A. Questions you're going to ask me, just</p> <p>10:44:05 16 questions, privileged material?</p> <p>10:44:06 17 Q. Anything I prepare in the course of</p> <p>10:44:08 18 defending this lawsuit is privileged.</p> <p>10:44:09 19 A. Anything I prepare in defending my lawsuit</p> <p>10:44:13 20 is privileged, correct?</p> <p>10:44:15 21 Q. I'm not going to debate you, but no. You're</p> <p>10:44:18 22 not an attorney.</p> <p>10:44:19 23 A. I don't have to be an attorney.</p> <p>10:44:22 24 Q. I'm not going to argue with you on -- Can we</p>
Page 23	Page 25
<p>10:42:40 1 evade.</p> <p>10:42:41 2 A. I'm not evading. That's your opinion.</p> <p>10:42:44 3 Q. That is my opinion --</p> <p>10:42:46 4 A. My opinion is it is not.</p> <p>10:42:48 5 Q. How is it not evasive?</p> <p>10:42:49 6 A. Sir?</p> <p>10:42:50 7 Q. Yes?</p> <p>10:42:51 8 If I ask you your residential address --</p> <p>10:42:53 9 A. I filed a lawsuit.</p> <p>10:42:54 10 Q. That's right. By filing that lawsuit,</p> <p>10:42:56 11 Ms. Stevenson, you took on certain obligations.</p> <p>10:42:58 12 A. To file a lawsuit I don't really need a</p> <p>10:43:01 13 physical address.</p> <p>10:43:02 14 Q. That's not the question. The question is</p> <p>10:43:04 15 whether you have a physical address.</p> <p>10:43:05 16 A. I think what you're doing here is you're</p> <p>10:43:07 17 shifting the focus of this -- of my claim, overtime</p> <p>10:43:15 18 wages. If I stay in the subway at Government Center</p> <p>10:43:20 19 that would not affect my status as a plaintiff in</p> <p>10:43:22 20 this case, so why are you stuck on -- I don't know</p> <p>10:43:27 21 if this is the first or third question. Move on.</p> <p>10:43:30 22 Let's go to the claim.</p> <p>10:43:30 23 Q. No, Ms. Stevenson. I'm not going to let you</p> <p>10:43:33 24 take control of the deposition and --</p>	<p>10:44:27 1 get back to the questions?</p> <p>10:44:28 2 A. No.</p> <p>10:44:28 3 Q. You're going to refuse to participate in</p> <p>10:44:30 4 this deposition?</p> <p>10:44:30 5 A. If that's the way you want to stop it.</p> <p>10:44:33 6 I like these chairs, too.</p> <p>10:44:34 7 Q. You're the one that's refusing to answer the</p> <p>10:44:37 8 questions. So you'll give me no other address than</p> <p>10:44:41 9 the 647 Mass. Ave. address; is that right?</p> <p>10:44:44 10 A. Yes, sir.</p> <p>10:44:44 11 Q. And we've established that that's not your</p> <p>10:44:47 12 residence; is that right?</p> <p>10:44:48 13 A. If that's what you want to put on the</p> <p>10:44:51 14 record, go ahead and put it on the record.</p> <p>10:44:52 15 Q. I want to put on the record your testimony.</p> <p>10:44:54 16 Is it your testimony that 647 Mass. Ave is not your</p> <p>10:44:57 17 residential address?</p> <p>10:44:57 18 A. What address did the school have when I was</p> <p>10:45:01 19 an employee there?</p> <p>10:45:01 20 Q. Your purpose is not to ask me questions</p> <p>10:45:03 21 here, Ms. Stevenson.</p> <p>10:45:05 22 A. We're here about a case.</p> <p>10:45:06 23 Q. We're here because I noticed your</p> <p>10:45:08 24 deposition. Your purpose in sitting there in that</p>

7 (Pages 22 to 25)

Janice L. Stevenson

09/07/2006

Page 26	Page 28
<p>10:45:11 1 chair is only to respond to the questions I ask you, 10:45:13 2 not to debate the relevancy. 10:45:14 3 A. We could have had this over the phone. 10:45:16 4 Q. No, we could not have had it over the phone, 10:45:19 5 but that's irrelevant as well. Ms. Stevenson, you 10:45:22 6 got to let me get my statements on the record. You 10:45:25 7 can't keep interrupting me. 10:45:27 8 A. The same questions? 10:45:28 9 Q. I'm not even asking you a question right 10:45:31 10 now. I'm responding to your suggestion that we 10:45:33 11 could have done this over the telephone. 10:45:34 12 I've properly noticed your deposition. 10:45:38 13 You are required under the Rules of Civil Procedure 10:45:38 14 as the plaintiff in a lawsuit to appear in person 10:45:40 15 for your deposition. Okay? 10:45:43 16 A. I have met the requirements. 10:45:46 17 Q. Okay. Who lives with you? Do you share 10:45:56 18 your residence with anyone else? 10:45:58 19 A. (No verbal response) 10:46:02 20 Q. Do you understand the question? 10:46:03 21 A. What has that got to do with -- 10:46:06 22 Q. Your purpose here is not to question my -- 10:46:12 23 A. I'm not giving you my private information. 10:46:14 24 Q. So you're going to refuse to tell me with</p>	<p>10:47:17 1 Q. So is it a disposable cell phone? 10:47:20 2 A. No. It's a prepaid. 10:47:22 3 Q. It's a pay as you go? 10:47:23 4 A. Yes. 10:47:24 5 Q. So at some point when you purchase more 10:47:27 6 minutes that phone number will still be valid? 10:47:30 7 A. At some point. 10:47:30 8 Q. Do you have any other telephone numbers? 10:47:34 9 A. Oh, my fax number. 10:47:39 10 Q. What's that number? 10:47:40 11 A. Well, there are two of them. It depends on 10:47:44 12 which stops working first. There's 866-838-4286 and 10:47:52 13 then there's the 201 number. 10:47:55 14 Q. What's the rest of that number? 10:47:56 15 A. 622-4890. 10:48:00 16 Q. Are these, like, Internet fax services? 10:48:02 17 A. Yes, sir. 10:48:03 18 Q. Who are the providers? 10:48:05 19 A. One is jFax. 10:48:08 20 Q. Which number is that? 10:48:10 21 A. The 201. 10:48:14 22 And the other one is my fax. 10:48:19 23 Q. And you said something about one of them 10:48:21 24 stopping working first. Do you expect one or both</p>
Page 27	Page 29
<p>10:46:17 1 whom you live; is that right? 10:46:17 2 A. (No verbal response) 10:46:21 3 Q. Do you understand the question? 10:46:22 4 A. (No verbal response) 10:46:29 5 Q. I'll ask you again, do you understand the 10:46:30 6 question? 10:46:31 7 A. (No verbal response) 10:46:34 8 Q. For the record, you're just sitting there 10:46:36 9 staring at me and not responding. Do you intend to 10:46:39 10 respond to the question? 10:46:39 11 A. (No verbal response) 10:46:42 12 MR. MILLER: For the record, 10:46:43 13 Ms. Stevenson has not responded to that question 10:46:45 14 either. 10:46:48 15 Q. What's your home telephone number? 10:46:49 16 A. I have no land line. Is that what you're 10:46:54 17 asking me? 10:46:54 18 Q. That's responsive. Do you have a cell 10:46:57 19 phone? 10:46:57 20 A. Yes. The one that's noted on record. 10:47:01 21 Q. What's your cell phone number? 10:47:02 22 A. Well, for the next 15 minutes until I use 10:47:09 23 those up it will be 617-721-2638, then after the 15 10:47:16 24 minutes are gone I won't have any.</p>	<p>10:48:24 1 of these numbers to go out of service? 10:48:26 2 A. One is like a trial. They want you to pay. 10:48:29 3 Q. Which one is that? 10:48:30 4 A. jFax is supposed to be free unless you go 10:48:33 5 over a limit. It's like you send me all this paper 10:48:37 6 and then you push me over my limit. Now they want 10:48:40 7 to cut me off. 10:48:40 8 Q. Okay. 10:48:42 9 A. You did that to me. 10:48:43 10 Q. I don't think I've ever faxed you anything, 10:48:46 11 Ms. Stevenson. 10:48:47 12 A. When you send me the e-mail. Oh, yes, you 10:48:52 13 did. You sent it by fax. 10:48:53 14 Q. What did I send you by fax? 10:48:55 15 A. Didn't you fax -- Don't you fax me your 10:48:59 16 deposition -- not deposition, but those -- 10:49:01 17 Q. I think all communications I've had with 10:49:03 18 you, Ms. Stevenson, have been by e-mail. 10:49:06 19 A. We have got to start chatting. 10:49:08 20 Q. What's that mean? 10:49:10 21 A. You know, IMing. 10:49:11 22 Q. Is there some sort of limit on your e-mail 10:49:15 23 account? 10:49:15 24 A. No. It's more responsive because, see, when</p>

8 (Pages 26 to 29)

Legalink Boston, a Merrill Communications Company
(617) 542-0039

eb2827ab-6285-4fb1-b765-9962caa2bd64

Janice L. Stevenson

09/07/2006

Page 74	Page 76
<p>11:32:54 1 right?</p> <p>11:32:55 2 A. It is a publicly traded --</p> <p>11:32:59 3 Q. I'm not asking you why. These are simple</p> <p>11:33:02 4 limited questions. You filed a complaint against</p> <p>11:33:04 5 Ajilon, right?</p> <p>11:33:04 6 A. Mr. Miller, I'm doing the best I can.</p> <p>11:33:06 7 Q. And I'm trying to help you.</p> <p>11:33:08 8 A. Okay, but I think I've answered the</p> <p>11:33:11 9 question.</p> <p>11:33:1110 Q. But you haven't. You've missed it. It's a</p> <p>11:33:1311 very narrow question. In filing a charge against</p> <p>11:33:1512 Ajilon with the Department of Labor, you filed a</p> <p>11:33:1913 document, a complaint, right?</p> <p>11:33:2014 A. Yes. You write up...</p> <p>11:33:2715 Q. In that complaint you made allegations about</p> <p>11:33:2716 things that Ajilon did and your relationship with</p> <p>11:33:3117 Ajilon and things like that, right?</p> <p>11:33:3118 A. Yes.</p> <p>11:33:3119 Q. Did any of those allegations have anything</p> <p>11:33:3320 to do with Vertex?</p> <p>11:33:3421 A. In my complaint against Ajilon I felt</p> <p>11:34:0522 that -- I described what they did. And I had</p> <p>11:34:1223 complained. And that because of what they did and</p> <p>11:34:1824 my complaint were part of the reason I did not work</p>	<p>11:35:19 1 Q. That's right?</p> <p>11:35:20 2 A. Yeah, because I filed a complaint against</p> <p>11:35:22 3 them. And right after that I was relieved from</p> <p>11:35:28 4 working for Ajilon.</p> <p>11:35:28 5 Q. And you still don't remember the substance</p> <p>11:35:35 6 of your internal complaint about Vertex other than</p> <p>11:35:37 7 it had something to do with working conditions?</p> <p>11:35:39 8 A. Probably. Yeah, I guess. There was</p> <p>11:35:49 9 probably something -- I don't remember specifically.</p> <p>11:35:5110 There was probably something fishy I felt like was</p> <p>11:35:5411 going on.</p> <p>11:35:5512 Q. You told me before you thought it was</p> <p>11:35:5713 working conditions.</p> <p>11:35:5814 A. It is, yeah, fishy working conditions.</p> <p>11:36:0115 Something didn't make sense.</p> <p>11:36:0216 Q. You don't know what it was that didn't make</p> <p>11:36:0417 sense?</p> <p>11:36:0418 A. Not word for word. I was concerned, and I</p> <p>11:36:0919 brought the complaint. It's just like on some</p> <p>11:36:1220 assignments -- The biggest thing working for</p> <p>11:36:1421 temporary agencies is that they tell you you're</p> <p>11:36:1722 coming to do one thing. They says, Oh, we need,</p> <p>11:36:2223 say, an accounts payable clerk, and you get there</p> <p>11:36:2424 and they have you as a receptionist.</p>
Page 75	Page 77
<p>11:34:26 1 for them anymore.</p> <p>11:34:26 2 Q. Your claim when they retaliated against you?</p> <p>11:34:30 3 A. I claimed that because I complained about</p> <p>11:34:38 4 something I felt was illegal.</p> <p>11:34:39 5 Q. The Vertex thing, is that what you're</p> <p>11:34:41 6 talking about? The internal complaint regarding</p> <p>11:34:43 7 Vertex, is that what you're talking about?</p> <p>11:34:45 8 A. I filed a complaint.</p> <p>11:34:46 9 Q. That's the complaint that you think led to</p> <p>11:34:4810 the termination of your relationship with Ajilon; is</p> <p>11:34:5111 that what you're telling me?</p> <p>11:34:5212 A. Yes.</p> <p>11:34:5213 Q. So just to clarify -- And I'm not trying to</p> <p>11:34:5514 get you to answer the same question twice or</p> <p>11:34:5715 anything like that. I want to sum up so we both</p> <p>11:34:5916 understand what the testimony is. All right?</p> <p>11:35:0117 A. Uh-hmm.</p> <p>11:35:0218 Q. You filed a complaint against Ajilon. One</p> <p>11:35:0419 of the allegations in your Sarbanes-Oxley</p> <p>11:35:0620 whistleblower complaint against Ajilon was that you</p> <p>11:35:0921 had been subject to some sort of adverse action</p> <p>11:35:1322 because of the internal complaint that you filed</p> <p>11:35:1423 about Vertex?</p> <p>11:35:1824 A. I guess, yeah.</p>	<p>11:36:31 1 So you go back to your person and you</p> <p>11:36:36 2 say, This ain't right. I haven't been in accounts</p> <p>11:36:40 3 payable since I've been here.</p> <p>11:36:42 4 So the person calls and says, Oh, she</p> <p>11:36:46 5 said she's not doing accounts payable. She's doing</p> <p>11:36:49 6 receptionist. So at that point they says, Oh, well,</p> <p>11:36:55 7 if she's going to be complaining, relieve her of her</p> <p>11:37:01 8 duties.</p> <p>11:37:03 9 Q. Okay. And you believe that the complaint</p> <p>11:37:0510 you made about Vertex to Ajilon had something to do</p> <p>11:37:0711 with the work that you had been assigned there; is</p> <p>11:37:1012 that what you're telling me?</p> <p>11:37:1113 A. Yeah. The only relationship we had was</p> <p>11:37:1514 work.</p> <p>11:37:1515 Q. Okay. Do you recall what kind of work you</p> <p>11:37:2016 did, in fact, do for Vertex?</p> <p>11:37:2117 A. Clerical work, I guess.</p> <p>11:37:2718 Q. Is that a guess or is that your memory?</p> <p>11:37:2919 A. I only do clerical work.</p> <p>11:37:3220 Q. Through Ajilon you've only done clerical?</p> <p>11:37:3521 A. Clerical, yeah.</p> <p>11:37:3622 Q. So we've gone through a few different</p> <p>11:37:4123 lawsuits. We've talked about your bankruptcy, this</p> <p>11:37:4324 case, the DUA proceedings involving NHCS, the</p>

20 (Pages 74 to 77)

Janice L. Stevenson

09/07/2006

Page 78	Page 80
<p>11:37:46 1 Sarbanes-Oxley complaints involving NHCS and the</p> <p>11:37:50 2 Sarbanes-Oxley complaints involving Ajilon, right?</p> <p>11:37:52 3 A. Yes, and the appeal tax board, tax appeal</p> <p>11:37:59 4 board.</p> <p>11:38:01 5 Q. You're talking about the Massachusetts</p> <p>11:38:03 6 agency?</p> <p>11:38:03 7 A. Yeah.</p> <p>11:38:03 8 Q. What was the nature of the complaint that</p> <p>11:38:05 9 you filed with that agency?</p> <p>11:38:07 10 A. That's against you.</p> <p>11:38:08 11 Q. What was the nature of it?</p> <p>11:38:09 12 A. Unreported withholdings.</p> <p>11:38:15 13 Q. Any other lawsuits to which you've been a</p> <p>11:38:26 14 party?</p> <p>11:38:26 15 A. Not that I can recall.</p> <p>11:38:30 16 Q. Have you ever been a defendant in a lawsuit?</p> <p>11:38:34 17 A. Has someone ever sued me? Traffic ticket.</p> <p>11:38:44 18 Q. We'll put aside traffic tickets for this</p> <p>11:38:51 19 question.</p> <p>11:38:51 20 A. I don't know.</p> <p>11:38:52 21 Q. You don't know?</p> <p>11:38:52 22 A. I would remember, wouldn't I?</p> <p>11:38:56 23 Q. I'm asking you.</p> <p>11:39:00 24 A. Okay. Give me a hint.</p>	<p>11:39:55 1 a court, who I've done it with.</p> <p>11:39:56 2 Q. Okay. Have you ever had any criminal</p> <p>11:39:58 3 charges filed against you?</p> <p>11:40:00 4 A. Parking tickets? Not parking tickets,</p> <p>11:40:05 5 but...</p> <p>11:40:11 6 Q. Talking about a moving violation?</p> <p>11:40:13 7 A. Unpaid tickets.</p> <p>11:40:16 8 Q. Let's put aside anything to do --</p> <p>11:40:19 9 A. I don't know. I can't recall someone</p> <p>11:40:21 10 charging me with anything. I can't recall.</p> <p>11:40:24 11 Q. To the best of your memory, no one has ever</p> <p>11:40:26 12 filed criminal charges against you other than</p> <p>11:40:28 13 traffic tickets; is that right?</p> <p>11:40:29 14 A. As far as I know, no.</p> <p>11:40:34 15 Q. Have you ever filled out a criminal</p> <p>11:40:38 16 complaint against any other person or entity?</p> <p>11:40:40 17 A. Other than the Neighborhood House?</p> <p>11:40:47 18 Q. Well, we've talked about the six or so</p> <p>11:40:49 19 lawsuits that we've talked about, so we'll consider</p> <p>11:40:51 20 those covered for purposes of this question.</p> <p>11:40:53 21 A. I can't remember. Aren't we kind of</p> <p>11:40:56 22 answering the same thing over and over again?</p> <p>11:40:58 23 Q. No. They're different questions. The</p> <p>11:40:59 24 question pending right now is, have you ever sought</p>
Page 79	Page 81
<p>11:39:02 1 Q. There is no hint. I'm just asking you a</p> <p>11:39:04 2 question.</p> <p>11:39:04 3 A. Give me a hint what you're defending, like</p> <p>11:39:08 4 here where I am.</p> <p>11:39:09 5 Q. A defendant --</p> <p>11:39:11 6 A. No, no, no. Like, I know traffic court if</p> <p>11:39:16 7 they give you a ticket you become a defendant. What</p> <p>11:39:21 8 else?</p> <p>11:39:21 9 Q. Well, you understand that if someone files a</p> <p>11:39:24 10 lawsuit against you, you become a defendant, right?</p> <p>11:39:25 11 A. Yeah.</p> <p>11:39:28 12 Q. Has anyone ever filed a lawsuit against you?</p> <p>11:39:30 13 A. Not that I can recall. Wouldn't I know</p> <p>11:39:32 14 this? Well, if I can remember. I don't know. I</p> <p>11:39:38 15 can't recall.</p> <p>11:39:38 16 Q. So to the best of your memory, you've never</p> <p>11:39:40 17 been a defendant?</p> <p>11:39:41 18 A. I don't remember right now. I could</p> <p>11:39:43 19 remember when I leave.</p> <p>11:39:47 20 Q. But you've just told me that you think you</p> <p>11:39:47 21 would remember if you've been a defendant in a</p> <p>11:39:49 22 lawsuit, right?</p> <p>11:39:49 23 A. I think I would remember. I wouldn't expect</p> <p>11:39:52 24 to be answering questions like this where I been in</p>	<p>11:41:03 1 to --</p> <p>11:41:03 2 A. Not that I know of.</p> <p>11:41:04 3 Q. Let me get the question out so the record is</p> <p>11:41:06 4 clear. Have you ever sought to initiate a criminal</p> <p>11:41:08 5 proceeding against anyone?</p> <p>11:41:09 6 A. Is that the same as have I filed a lawsuit?</p> <p>11:41:18 7 Is that the same question?</p> <p>11:41:19 8 Q. It's not as a legal matter. But you've told</p> <p>11:41:21 9 me about all of the lawsuits you remember, right?</p> <p>11:41:23 10 A. Yes, I filed those. Yes, I've filed</p> <p>11:41:27 11 whatever you just said.</p> <p>11:41:27 12 Q. The six or so that we've just covered?</p> <p>11:41:29 13 A. Yes, I filed those charges against those</p> <p>11:41:32 14 people.</p> <p>11:41:32 15 Q. Okay. Have you ever attempted to initiate</p> <p>11:41:34 16 any sort of legal proceeding other than the ones</p> <p>11:41:37 17 we've discussed?</p> <p>11:41:38 18 A. You mean, like, if I'm doing something now?</p> <p>11:41:47 19 Q. Anything ever.</p> <p>11:41:55 20 A. Well, I got something in mind, but I haven't</p> <p>11:41:57 21 done it.</p> <p>11:41:57 22 Q. What's that?</p> <p>11:41:57 23 A. I haven't done it.</p> <p>11:41:59 24 Q. That's not the question. What is it you</p>

21 (Pages 78 to 81)

Janice L. Stevenson

09/07/2006

Page 86	Page 88
<p>11:46:38 1 filings?</p> <p>11:46:41 2 A. No.</p> <p>11:46:41 3 Q. And other than the various proceedings that</p> <p>11:46:43 4 we've talked about, have you ever been a party to</p> <p>11:46:47 5 any other legal proceeding?</p> <p>11:46:48 6 A. Not that I know of. This is all I can</p> <p>11:46:54 7 remember.</p> <p>11:46:55 8 Q. That's all I want is your memory. Okay.</p> <p>11:46:58 9 Did you graduate from high school?</p> <p>11:46:58 10 A. (No verbal response)</p> <p>11:47:06 11 Q. Do you understand the question?</p> <p>11:47:07 12 A. I understand the question.</p> <p>11:47:09 13 Q. Will you answer it, please.</p> <p>11:47:13 14 A. I went to the 11th grade.</p> <p>11:47:15 15 Q. You went through the 11th grade? You</p> <p>11:47:17 16 completed the 11th grade?</p> <p>11:47:19 17 A. Yes.</p> <p>11:47:19 18 Q. Where?</p> <p>11:47:20 19 A. In high school.</p> <p>11:47:20 20 Q. Where did you attend high school?</p> <p>11:47:24 21 A. (No verbal response)</p> <p>11:47:27 22 Q. Do you understand the question?</p> <p>11:47:28 23 A. I understand the question.</p> <p>11:47:29 24 Q. Would you answer it, please.</p>	<p>11:48:24 1 You won't tell me what high school you attended; is</p> <p>11:48:29 2 that right?</p> <p>11:48:29 3 A. It doesn't exist anymore.</p> <p>11:48:31 4 Q. That's not the question. The question is,</p> <p>11:48:33 5 what high school did you attend?</p> <p>11:48:34 6 A. No, I won't tell you.</p> <p>11:48:36 7 Q. Why won't you tell me?</p> <p>11:48:37 8 A. Because it doesn't exist anymore.</p> <p>11:48:40 9 Q. That's not a reason not to tell me what the</p> <p>11:48:43 10 name of it was when it existed.</p> <p>11:48:45 11 A. No.</p> <p>11:48:46 12 Q. You won't tell me?</p> <p>11:48:46 13 A. No.</p> <p>11:48:47 14 Q. And what are the grounds?</p> <p>11:48:48 15 A. Because I don't think I want you</p> <p>11:48:51 16 investigating my past.</p> <p>11:48:52 17 Q. Is there something in your past that you</p> <p>11:48:54 18 think would be embarrassing to you?</p> <p>11:48:56 19 A. No. Because I think it's irrelevant to an</p> <p>11:48:59 20 overtime claim.</p> <p>11:49:00 21 Q. Well, what you think is not what governs the</p> <p>11:49:03 22 scope of this deposition.</p> <p>11:49:03 23 A. But you know what, I govern how much I give</p> <p>11:49:06 24 you about my personal life.</p>
Page 87	Page 89
<p>11:47:30 1 A. No.</p> <p>11:47:31 2 Q. Why not?</p> <p>11:47:31 3 A. I'm not because I think you're getting into</p> <p>11:47:36 4 my personal business.</p> <p>11:47:38 5 Q. I'm asking you questions about your</p> <p>11:47:40 6 education.</p> <p>11:47:41 7 A. I have no education.</p> <p>11:47:42 8 Q. You have no education. So it's your</p> <p>11:47:45 9 testimony that the last grade you completed was the</p> <p>11:47:48 10 11th grade?</p> <p>11:47:49 11 A. No, that's not my testimony. My testimony</p> <p>11:47:51 12 is I'm not going to answer personal questions and</p> <p>11:47:54 13 it's my testimony that I have no advanced education.</p> <p>11:47:58 14 I'm ignorant.</p> <p>11:47:59 15 Q. By "advanced education," do you mean college</p> <p>11:48:03 16 education?</p> <p>11:48:03 17 A. No. It means no professional education.</p> <p>11:48:09 18 Q. Okay. I'm going to ask you questions about</p> <p>11:48:11 19 the education that you do have. And you told me</p> <p>11:48:14 20 that --</p> <p>11:48:14 21 A. It is none. It's obsolete. I have an</p> <p>11:48:18 22 obsolete education.</p> <p>11:48:19 23 Q. Just let me get through it and we'll get the</p> <p>11:48:21 24 details. You told me you completed the 11th grade.</p>	<p>11:49:07 1 Q. Well, do you understand that --</p> <p>11:49:08 2 A. You have no public records.</p> <p>11:49:10 3 Q. Are you done?</p> <p>11:49:11 4 A. Don't go there, Mr. Miller. Don't start</p> <p>11:49:16 5 this again.</p> <p>11:49:16 6 Q. Ms. Stevenson, I'm not going to let you</p> <p>11:49:18 7 determine the scope of this deposition.</p> <p>11:49:19 8 A. And I'm not going to let you badger me.</p> <p>11:49:21 9 Q. I'm not badgering you. I'm asking you</p> <p>11:49:24 10 simple factual questions relating to your education</p> <p>11:49:26 11 at the moment. And you've told me that you're going</p> <p>11:49:29 12 to refuse to tell me --</p> <p>11:49:30 13 A. Are you going to ask me this in front of a</p> <p>11:49:32 14 jury?</p> <p>11:49:33 15 Q. I'm not going to make any representations to</p> <p>11:49:35 16 you now as to what I might ask you in front of a</p> <p>11:49:38 17 jury.</p> <p>11:49:39 18 A. Okay. Because I will say the same thing in</p> <p>11:49:42 19 front of a jury.</p> <p>11:49:43 20 Q. You would say what in front of a jury?</p> <p>11:49:45 21 A. I'm not going to answer that question.</p> <p>11:49:46 22 Q. You would refuse to testify in a court of</p> <p>11:49:49 23 law about where you attended high school?</p> <p>11:49:51 24 A. Yeah.</p>

23 (Pages 86 to 89)

Janice L. Stevenson

09/07/2006

Page 106	Page 108
<p>12:26:18 1 (Exhibit Number 2 12:26:18 2 marked for identification) 12:26:18 3 Q. Ms. Stevenson, before we took a break you 12:26:36 4 agreed that you're available to continue this until 12:26:39 5 2:30 today; is that right? 12:26:40 6 A. Yes. 12:26:40 7 Q. And at that time you stated that you have to 12:26:43 8 leave? 12:26:43 9 A. I'll be able to finish this. There won't be 12:26:48 10 any more depositions? 12:26:49 11 Q. That has yet to be established. Discovery 12:26:52 12 is still ongoing. 12:26:53 13 A. Discovery is until the 27th. 12:26:55 14 Q. The 22nd, I think. 12:26:56 15 A. Yes. 12:26:57 16 Q. Right. So discovery remains open. 12:27:00 17 So are you now telling me that you're 12:27:02 18 available to stay here all day? 12:27:04 19 A. I'll stay to get this over with. 12:27:06 20 Q. Is that a yes? 12:27:07 21 A. Yes. And of course, our day is -- We've 12:27:13 22 agreed on the day as being 3:15. 12:27:15 23 Q. I don't think we've made any such agreement. 12:27:18 24 Are you now telling me you've agreed to stay here</p>	<p>12:28:19 1 Q. Just let me get the question out. 12:28:22 2 A. Okay. 12:28:22 3 Q. I'll represent to you that this deposition 12:28:24 4 and all depositions in federal court like this one 12:28:28 5 are governed by Rule 30, which is what I handed you 12:28:31 6 a copy of. Do you understand that? 12:28:32 7 A. Yes. 12:28:36 8 Q. You see that I've handed you a copy of 12:28:39 9 rule -- 12:28:39 10 A. You handed me Massachusetts rules of court, 12:28:41 11 federal. 12:28:42 12 Q. If you turn to the second page, you'll see 12:28:44 13 what I handed you includes Rule 30; is that right? 12:28:46 14 A. Uh-hmm. Yes, sir. 12:28:48 15 Q. If you turn to the third page, you'll see 12:28:50 16 subsection C. That section says that it governs 12:28:56 17 examination and cross-examination. Do you see that? 12:28:58 18 A. Yes. Examinations and cross-examinations, 12:29:02 19 record of -- 12:29:03 20 Q. And I want you to look about halfway down 12:29:05 21 that paragraph. It says, "All objections made." Do 12:29:07 22 you see that? 12:29:08 23 A. "All objections made at the time of the 12:29:09 24 examination to the"...</p>
Page 107	Page 109
<p>12:27:21 1 until 3:15? 12:27:21 2 A. Let's agree on the end of the day. You're 12:27:25 3 saying 5:00? 12:27:25 4 Q. 5:00 is the end of the traditional business 12:27:28 5 day. 12:27:29 6 A. Your traditional business day is 5:00? 12:27:34 7 Q. In this market sector generally 5:00 is 12:27:40 8 considered the end of the business day. 12:27:41 9 A. I'm not normally in this market. 12:27:43 10 Q. Let's not quibble. Are you willing and able 12:27:45 11 to stay here until 5 o'clock today? 12:27:47 12 A. Yes. 12:27:51 13 Q. I've asked Ms. Keegan to mark this document 12:27:53 14 as Exhibit 2. 12:27:54 15 A. "Massachusetts rules of courts. See prefix 12:27:59 16 for currentness information." 12:28:01 17 Q. You don't necessarily need to read it into 12:28:03 18 the record. I marked that. And I'll represent to 12:28:06 19 you that it is a copy of Rule 30 of the Federal 12:28:10 20 Rules of Civil Procedure. 12:28:12 21 A. "Depositions may be taken when leave" -- 12:28:16 22 Q. Again, you don't need to read it into the 12:28:18 23 record. 12:28:18 24 A. Is it for me?</p>	<p>12:29:21 1 (Pause) 12:29:21 2 A. Oh, so if I have any objections I state it 12:29:24 3 for the record? 12:29:25 4 Q. Have you had a chance to read through this 12:29:27 5 paragraph? 12:29:27 6 A. All the way to the end? 12:29:43 7 (Pause) 12:29:43 8 A. Okay. Why didn't you give me a set of 12:29:46 9 written questions? 12:29:46 10 Q. I'm not obligated to do that. I want you to 12:29:49 11 look at the section that says -- after the 12:29:51 12 preparatory bit about objections being made it says, 12:29:55 13 "The examination shall proceed with the testimony 12:29:57 14 being taken subject to the objections." Do you see 12:29:59 15 that? 12:29:59 16 A. Yes. "The examination shall proceed with 12:30:06 17 the testimony being taken subject to the 12:30:08 18 objections." 12:30:09 19 Q. I'll represent to you that means any basis 12:30:13 20 you have to object to my questions does not excuse 12:30:16 21 you from answering those questions. Do you 12:30:18 22 understand that? 12:30:18 23 A. It may not excuse me, but it can't compel me 12:30:23 24 either.</p>

28 (Pages 106 to 109)

Janice L. Stevenson

09/07/2006

Page 110	Page 112
<p>12:30:23 1 Q. Well, I can't, but you understand the court 12:30:26 2 can; is that right? 12:30:29 3 A. Okay. 12:30:30 4 Q. Do you understand that the procedural rules 12:30:32 5 do not allow you to refuse to answer my questions 12:30:34 6 because you feel they are irrelevant, immaterial or 12:30:38 7 otherwise inappropriate? 12:30:39 8 A. I see what the rule says, but then you're 12:30:46 9 saying the court can also intervene and tell me I 12:30:49 10 have to. But then I can take up matters with the 12:30:56 11 court that I can't take up with you, can't I? 12:30:58 12 Q. You're free to address with the court 12:30:59 13 whatever you want. 12:31:00 14 A. That's right. 12:31:01 15 Q. What I'm asking you is, you understand that 12:31:03 16 under the rules governing this deposition it's not 12:31:05 17 appropriate for you to refuse to respond to my 12:31:08 18 questions on the basis of your belief that they're 12:31:10 19 irrelevant or not related to the heart of your 12:31:13 20 claims. Do you understand that? 12:31:14 21 A. Yes, sir. 12:31:15 22 Q. Now, you've refused to answer a number of my 12:31:18 23 questions so far today; do you understand that? 12:31:21 24 A. (No verbal response)</p>	<p>12:32:08 1 Q. Right. And so now you've refused. And 12:32:11 2 you've used the word "refused" at least half a dozen 12:32:15 3 times to answer a number of questions that I've 12:32:17 4 asked you today. So now I will ask you whether 12:32:19 5 you've reconsidered and will give me answers to 12:32:20 6 those questions? 12:32:21 7 A. Sure, I'll give you answers to the 12:32:24 8 questions. I don't remember them, though. 12:32:25 9 Q. I'll go back through them. 12:32:28 10 I'll take this back. Would you like to 12:32:31 11 review it further? 12:32:32 12 A. Are you going to keep it? 12:32:34 13 Q. I'm going to keep all the exhibits to your 12:32:38 14 deposition. If you want copies of them, I'll 12:32:38 15 provide you copies when it's over. 12:32:40 16 A. When this deposition is over? 12:32:43 17 Q. Correct. 12:32:43 18 A. Okay. Just this one. 12:32:44 19 Q. If it's okay with you, I'll just make copies 12:32:47 20 and send them to you. It's easier that way. Is 12:32:49 21 that okay? 12:32:50 22 A. Before the week is over with? 12:32:53 23 Q. I can put them in the mail to you this 12:32:55 24 evening.</p>
Page 111	Page 113
<p>12:31:22 1 Q. Is that correct, you've refused to answer a 12:31:24 2 number of questions I've asked you? 12:31:25 3 A. I don't know. Which ones? 12:31:26 4 Q. I'm not asking you to identify them now. 12:31:29 5 Can we just agree that you've refused to answer a 12:31:32 6 number of questions I've asked you? 12:31:34 7 A. There are some questions I've had difficulty 12:31:35 8 answering. 12:31:36 9 Q. In fact, you have expressly refused to 12:31:38 10 answer a number of questions, yes? 12:31:39 11 A. That was the difficulty, yes. 12:31:41 12 Q. The difficulty being your refusal? 12:31:43 13 A. Yes, that was the difficulty. 12:31:44 14 Q. It's not an inability. You're just 12:31:47 15 refusing, right? 12:31:47 16 A. An ability? 12:31:50 17 Q. You're capable of answering the question. 12:31:51 18 You just won't; is that right? 12:31:53 19 A. I don't want to analyze that. 12:31:59 20 Q. Well, you understand that that's not 12:32:01 21 appropriate either. If I ask you a question, under 12:32:03 22 this rule you're obligated to respond. Do you 12:32:06 23 understand that? 12:32:06 24 A. To the best of my ability I will.</p>	<p>12:32:55 1 A. Good. To the post office box or even the 12:32:59 2 physical address. 12:32:59 3 Q. You haven't given me one yet. 12:33:01 4 A. I did. 12:33:01 5 Q. Let's go back to those questions. We have 12:33:05 6 agreed I will send you copies of all the exhibits to 12:33:07 7 the deposition? 12:33:08 8 A. To the post office box. 12:33:09 9 Q. I'll do that. 12:33:10 10 Now, the first question you refused to 12:33:12 11 answer is your residential address; is that right? 12:33:17 12 Do you recall refusing to answer that question? 12:33:18 13 A. I'm not sure I gave you a physical one. You 12:33:23 14 kept asking me. 12:33:24 15 Q. I asked you if that was your residence, and 12:33:26 16 you said no. You said you went there in the 12:33:29 17 daytime. So now I'll ask you again, will you give 12:33:34 18 me your residential address? 12:33:35 19 A. I have to still say 647 Massachusetts. 12:33:38 20 Q. That's where you sleep at night? 12:33:39 21 A. It could be. 12:33:42 22 Q. Is that where you slept last night? 12:33:44 23 A. No. 12:33:45 24 Q. Is that where you slept the night before</p>

29 (Pages 110 to 113)

Janice L. Stevenson

09/07/2006

Page 114	Page 116
<p>12:33:47 1 that?</p> <p>12:33:47 2 A. Probably not.</p> <p>12:33:49 3 Q. So where did you sleep last night?</p> <p>12:33:51 4 A. Somewhere else other than 647 Massachusetts</p> <p>12:33:55 5 Avenue.</p> <p>12:33:55 6 Q. What is the address of the place that you</p> <p>12:33:57 7 slept last night?</p> <p>12:33:58 8 A. I'm not sure.</p> <p>12:33:59 9 Q. It's your testimony that you don't remember</p> <p>12:34:01 10 the address?</p> <p>12:34:02 11 A. It's my testimony that I'm not sure.</p> <p>12:34:05 12 Q. What's your best memory of the address of</p> <p>12:34:07 13 the building in which you slept last night?</p> <p>12:34:08 14 A. I don't know. I don't have a best memory.</p> <p>12:34:16 15 Q. You have no idea where you slept last night?</p> <p>12:34:18 16 A. Yes, of course I do. I just don't have a</p> <p>12:34:20 17 best memory of my recollection of the building, but</p> <p>12:34:27 18 I do have an address.</p> <p>12:34:29 19 Q. That's not material. On what street was the</p> <p>12:34:32 20 building on which you slept last night?</p> <p>12:34:33 21 A. I'm not sure.</p> <p>12:34:34 22 Q. How did you get here today?</p> <p>12:34:35 23 A. I took the T.</p> <p>12:34:38 24 Q. And at what stop did you get on the T?</p>	<p>12:35:35 1 that's your testimony under oath?</p> <p>12:35:36 2 A. I'm not sure.</p> <p>12:35:38 3 Q. What about the situation in which -- Strike</p> <p>12:35:43 4 that.</p> <p>12:35:43 5 What about the building in which you</p> <p>12:35:45 6 slept last night are you uncertain of?</p> <p>12:35:47 7 A. I don't know.</p> <p>12:35:49 8 Q. How many times have you slept in the</p> <p>12:35:52 9 building in which you slept last night?</p> <p>12:35:53 10 A. I don't know. I don't count.</p> <p>12:35:54 11 Q. More than 10?</p> <p>12:35:55 12 A. I don't know.</p> <p>12:35:56 13 Q. You don't know if you've slept there more</p> <p>12:36:01 14 than 10 times?</p> <p>12:36:02 15 A. I'm not sure.</p> <p>12:36:03 16 Q. More than five times?</p> <p>12:36:03 17 A. I don't know.</p> <p>12:36:04 18 Q. More than twice?</p> <p>12:36:05 19 A. I'm not sure.</p> <p>12:36:05 20 Q. So is it your testimony that there is no</p> <p>12:36:12 21 building to which you customarily return at night to</p> <p>12:36:16 22 sleep?</p> <p>12:36:16 23 A. I'm not sure.</p> <p>12:36:18 24 Q. You don't know if there's a building to</p>
Page 115	Page 117
<p>12:34:42 1 A. The World Trade Center.</p> <p>12:34:48 2 Q. That's where you got off the train, right?</p> <p>12:34:49 3 A. Yes.</p> <p>12:34:50 4 Q. Where did you get on the train?</p> <p>12:34:52 5 A. In Cambridge.</p> <p>12:34:53 6 Q. What stop?</p> <p>12:34:54 7 A. I walked to Central.</p> <p>12:34:59 8 Q. You got on the train at the Central station?</p> <p>12:35:03 9 A. Across from 647 Massachusetts Avenue.</p> <p>12:35:05 10 Q. But you didn't sleep at 647 Massachusetts</p> <p>12:35:07 11 Avenue last night, right?</p> <p>12:35:08 12 A. (No verbal response)</p> <p>12:35:10 13 Q. Do you remember the path you took to get to</p> <p>12:35:13 14 the train station this morning?</p> <p>12:35:15 15 A. Yes. I walked up Mass. Avenue and got on</p> <p>12:35:20 16 the T stop.</p> <p>12:35:21 17 Q. And what street did you take to get to Mass.</p> <p>12:35:23 18 Avenue?</p> <p>12:35:23 19 A. Massachusetts Avenue.</p> <p>12:35:24 20 Q. So you slept at a building on Massachusetts</p> <p>12:35:28 21 Avenue last night?</p> <p>12:35:28 22 A. I'm not sure.</p> <p>12:35:29 23 Q. You're uncertain whether the building you</p> <p>12:35:33 24 slept in last night was on Massachusetts Avenue,</p>	<p>12:36:20 1 which you customarily return to at night, that's</p> <p>12:36:25 2 your testimony under oath?</p> <p>12:36:26 3 A. I'm not really sure. I can't describe</p> <p>12:36:29 4 buildings. I don't see them that way.</p> <p>12:36:31 5 Q. You don't know what a building is, is that</p> <p>12:36:33 6 your testimony?</p> <p>12:36:34 7 A. I know what a building is. To describe it.</p> <p>12:36:36 8 Q. What I'm asking you is the address of the</p> <p>12:36:38 9 location where you slept last night.</p> <p>12:36:39 10 A. I told you I'm not sure.</p> <p>12:36:41 11 Q. I think you're evading my question.</p> <p>12:36:43 12 A. There's that word again.</p> <p>12:36:45 13 Q. That's the word I'm going to use for what</p> <p>12:36:47 14 you're doing. You're evading my question.</p> <p>12:36:49 15 Have we established that the building in</p> <p>12:36:51 16 which you slept last night was on Massachusetts</p> <p>12:36:53 17 Avenue?</p> <p>12:36:53 18 A. (No verbal response)</p> <p>12:36:57 19 Q. Do you understand the question?</p> <p>12:36:59 20 A. I've given you a physical address.</p> <p>12:37:01 21 Q. You've given me a physical address and</p> <p>12:37:04 22 you've told me that's not your residence and that's</p> <p>12:37:06 23 not where you slept last night. What I want to know</p> <p>12:37:08 24 is, what is your physical residence?</p>

30 (Pages 114 to 117)

Janice L. Stevenson

09/07/2006

Page 118	Page 120
<p>12:37:11 1 A. So if I sleep three to four different 12:37:13 2 places, you want all those places? 12:37:15 3 Q. Let's start with the place you slept last 12:37:17 4 night. 12:37:17 5 A. I'm not sure. 12:37:18 6 Q. You don't remember where you slept last 12:37:19 7 night? 12:37:19 8 A. I just answered the question three -- You 12:37:23 9 know you're going to catch me at either one? What, 12:37:25 10 where, what? 12:37:25 11 Q. Do you understand the question when I ask 12:37:29 12 you where did you sleep last night? 12:37:29 13 A. (No verbal response) 12:37:42 14 Q. Do you understand the question? 12:37:42 15 A. I think I've answered the question. 12:37:42 16 Q. That's not what I asked you. Your job here, 12:37:42 17 as I just pointed out to you when I showed you this 12:37:42 18 rule, is merely to respond to my questions. Do you 12:37:43 19 understand that? 12:37:43 20 A. I've responded. I think I've given you an 12:37:45 21 adequate response. 12:37:46 22 Q. So again, you're going to refuse to give me 12:37:49 23 further information? 12:37:49 24 A. I've given you all I can give you with</p>	<p>12:38:52 1 A. (No verbal response) 12:38:56 2 Q. Do you understand the question? 12:38:57 3 A. I've answered it. 12:38:59 4 Q. You have not answered it. 12:39:00 5 A. Yes, sir. 12:39:02 6 Q. So you're going to refuse to answer it 12:39:03 7 further? 12:39:05 8 A. I didn't say I refused. I answered it. Can 12:39:08 9 we just let what's on the record stand? 12:39:10 10 Q. No, I'm not going to let what's on the 12:39:12 11 record stand. 12:39:13 12 A. Are you striking my answer? 12:39:14 13 Q. I have not moved to strike your answer, 12:39:16 14 though it's within my ability to do that. What I'm 12:39:20 15 asking you to do is to give a substantive response 12:39:22 16 to the question rather than an evasive one. 12:39:25 17 A. Something that satisfies you? 12:39:26 18 Q. No. Something that is responsive. I'll be 12:39:29 19 perfectly satisfied if you answer the question. 12:39:31 20 The question is, is there a place to 12:39:32 21 which you customarily and regularly return to sleep 12:39:36 22 at night? 12:39:36 23 A. (No verbal response) 12:39:44 24 Q. Do you understand the question?</p>
Page 119	Page 121
<p>12:37:52 1 certainty. 12:37:53 2 Q. I'm not asking for certainty. I'm asking 12:37:59 3 for your memory. 12:38:01 4 A. I can't recall. 12:38:01 5 Q. You don't recall whether the building you 12:38:03 6 slept in last night is on Mass. Avenue, that's what 12:38:06 7 you're telling me? 12:38:07 8 A. Yes, sir. 12:38:07 9 Q. And you don't know whether there's a 12:38:10 10 building to which you customarily and regularly 12:38:12 11 return to sleep at night, that's your testimony? 12:38:15 12 A. No, sir. 12:38:17 13 Q. What's your testimony on that point? 12:38:18 14 A. I said I'm not sure. 12:38:24 15 Q. You're not sure? 12:38:25 16 A. I can't recall. I'm not certain. 12:38:26 17 Q. And how is that different than what I said? 12:38:30 18 A. Because my answer is longer. 12:38:32 19 Q. All right. So is it your testimony that you 12:38:42 20 have no memory as to whether or not -- 12:38:44 21 A. I know I sleep at night. 12:38:48 22 Q. Do you know that you customarily and 12:38:50 23 regularly return to the same place to sleep at 12:38:51 24 night?</p>	<p>12:39:45 1 A. I was just thinking, I had this weird 12:39:49 2 dream -- 12:39:49 3 Q. That's not going to be responsive to my 12:39:51 4 question. Your job is just to respond to my 12:39:53 5 questions. 12:39:55 6 A. But I'm not sure. 12:39:56 7 Q. You don't know if you have a home, is that 12:39:59 8 what you're telling me? 12:39:59 9 A. I don't have a home. 12:40:03 10 Q. You don't have a home, that's your 12:40:06 11 testimony. Okay. So there's no place to which you 12:40:09 12 customarily and regularly return to sleep at night? 12:40:12 13 A. (No verbal response) 12:40:13 14 Q. Is that the answer? 12:40:14 15 A. I've been several places. 12:40:16 16 Q. Through the course of your life? 12:40:17 17 A. Within Massachusetts. 12:40:21 18 Q. In the last three months is there anyplace 12:40:34 19 that you've customarily and regularly returned to 12:40:37 20 sleep at night in the last three months? 12:40:39 21 A. I've answered your question. 12:40:41 22 Q. You certainly have not. And if you believe 12:40:43 23 you have, there's certainly no harm for you 12:40:46 24 answering it again. So I'll ask you again --</p>

31 (Pages 118 to 121)

Janice L. Stevenson

09/07/2006

Page 122	Page 124
<p>12:40:48 1 A. I've given you 647 Massachusetts Avenue. 12:40:51 2 Q. And you've told me that's not your 12:40:54 3 residence, right? 12:40:54 4 A. But you asked for an address. 12:40:57 5 Q. I asked for a physical address and then I 12:40:59 6 asked for your residence. So you're not going to 12:41:02 7 give me your residential address, that's what you're 12:41:05 8 telling me; is that right? 12:41:07 9 A. No, sir. I'm just saying I've given you an 12:41:10 10 address. But if you really want to contact me -- 12:41:15 11 Q. I'm not asking about contact information. 12:41:17 12 I'm asking where you live. 12:41:18 13 A. You want to know where I am. Those are the 12:41:21 14 addresses. 12:41:22 15 Q. So you're not going to give me your 12:41:25 16 residential address; is that right? 12:41:26 17 A. I've answered the question, sir. 12:41:29 18 Q. You certainly have not. 12:41:35 19 Will you now give me your Social 12:41:36 20 Security number in light of the rule that I've shown 12:41:38 21 you? 12:41:38 22 A. Sir, I really think I can't. Out of all the 12:41:44 23 things I've read about misuse of Social Security 12:41:47 24 numbers, I can't in good conscience do that.</p>	<p>12:42:40 1 Is that what you're telling me? 12:42:43 2 A. I'm taking the Fifth. 12:42:43 3 Q. Do you understand what the Fifth Amendment 12:42:44 4 is? 12:42:45 5 A. I don't have to incriminate myself. 12:42:46 6 Q. So is it your testimony that by giving your 12:42:48 7 Social Security number you believe you would be 12:42:50 8 implicating yourself in a crime? 12:42:51 9 A. I believe if I gave my Social Security 12:42:54 10 number I would be putting it out there in the public 12:43:00 11 domain somewhere for anybody to pick up. 12:43:02 12 Q. And what does that have to do with your 12:43:05 13 guilt or innocence of a crime? 12:43:06 14 A. And then it could lead to identity theft. 12:43:11 15 Q. What does that have to do with your guilt or 12:43:13 16 innocence of a crime? 12:43:15 17 A. Somebody is going to think I've done 12:43:17 18 something with that number because it's my number. 12:43:19 19 Q. Well, you understand that the Fifth 12:43:21 20 Amendment applies only to crimes that you have 12:43:24 21 already committed. And so your assertion of the 12:43:26 22 Fifth Amendment -- 12:43:28 23 A. No. I think it applies to information that 12:43:31 24 you don't want to give that could probably cause</p>
Page 123	Page 125
<p>12:41:51 1 Q. So you're going to continue to refuse to 12:41:53 2 answer the question? 12:41:53 3 A. It's not a refusal. I can't in good 12:41:57 4 conscience. 12:41:57 5 Q. You certainly know your Social Security 12:41:59 6 number, don't you? 12:41:59 7 A. I believe I do. 12:42:00 8 Q. And you could tell it to me if you wanted 12:42:02 9 to? 12:42:03 10 A. I guess I could. 12:42:04 11 Q. But you're not going to, is that your 12:42:07 12 testimony? 12:42:07 13 A. I could not do that because I think I would 12:42:10 14 violate what the people who control identity thefts 12:42:20 15 says, don't give your ID out. If it has nothing to 12:42:23 16 do -- 12:42:24 17 Q. Are you telling me you think it's illegal 12:42:26 18 for you to give me your Social Security number? 12:42:28 19 A. I think it would not be beneficial to me. 12:42:30 20 Q. I'm not asking you whether it would be 12:42:31 21 beneficial to you. 12:42:32 22 A. I'm taking the Fifth. 12:42:35 23 Q. So you believe that by giving me your Social 12:42:37 24 Security number you would be implicated in a crime?</p>	<p>12:43:34 1 further problems down the road. 12:43:35 2 Q. Well, I'll represent to you -- and we've 12:43:38 3 established that you don't have a law degree -- that 12:43:40 4 that is not the scope of -- 12:43:41 5 A. I don't have a law degree, this is true. 12:43:43 6 Q. I'm not your lawyer. I can't advise you on 12:43:45 7 the scope of the Fifth Amendment and -- 12:43:49 8 A. But you can tell me not to use it? 12:43:50 9 Q. Let me get the statement out. All I can 12:43:53 10 tell you is I believe that to be a categorically 12:43:55 11 inappropriate assertion of the Fifth Amendment. And 12:43:58 12 we will reserve our rights as to that question and 12:44:00 13 any other question that you assert the Fifth 12:44:02 14 Amendment to seek relief from the court. 12:44:04 15 And that relief from the court would 12:44:05 16 include either an order compelling you to disclose 12:44:08 17 the information or an adverse inference, meaning 12:44:11 18 that the jury or the finder of fact could infer from 12:44:14 19 your assertion of the Fifth Amendment that you had 12:44:18 20 done something wrong or the evidence that you're 12:44:19 21 withholding is somehow not favorable to you. Do you 12:44:22 22 understand that? 12:44:22 23 A. Okay. 12:44:22 24 Q. And we reserve our rights to seek that</p>

32 (Pages 122 to 125)

Janice L. Stevenson

09/07/2006

Page 126	Page 128
<p>12:44:24 1 relief. 12:44:25 2 A. It goes both ways. 12:44:26 3 Q. What do you mean by that? 12:44:27 4 A. The same things you're going to object or 12:44:34 5 state to the court, I can do the same thing, too. 12:44:36 6 Q. So you're just saying that you reserve the 12:44:38 7 right to seek whatever relief you want from the 12:44:40 8 court? 12:44:40 9 A. Yes, sir. 12:44:41 10 Q. Certainly. Will you now tell me whether or 12:44:45 11 not you're presently married? 12:44:46 12 A. Fifth. 12:44:47 13 Q. You're going to plead the Fifth as to 12:44:50 14 whether you're presently married? 12:44:51 15 A. Fifth. 12:44:51 16 Q. Could you explain to me how that relates to 12:44:54 17 your commission of a crime? 12:44:55 18 A. I can't. I don't have a degree. 12:44:59 19 Q. But do you believe that your marital status 12:45:01 20 in some way implicates you in a crime? 12:45:03 21 A. I'm not going to answer that. Fifth. 12:45:08 22 Q. You're pleading the Fifth as to whether your 12:45:11 23 marital status -- 12:45:11 24 A. And the Fourteenth.</p>	<p>12:45:53 1 Q. Will you tell me the name of the high school 12:45:55 2 that you attended? 12:45:56 3 A. Fifth. 12:45:56 4 Q. Okay. We talked about -- I'm picking up the 12:46:15 5 background on your education that we were talking 12:46:18 6 about before we broke. Okay? 12:46:21 7 You've told me that you took college 12:46:24 8 courses at Grambling, Louisiana and at Collin County 12:46:29 9 Community College. Did you take any other formal 12:46:30 10 educational courses after graduating from Grambling 12:46:33 11 and receiving your bachelor's degree? 12:46:36 12 A. I don't know. I guess those are the ones. 12:46:52 13 I think that's it. I think. 12:46:54 14 Q. You believe that the only course work you've 12:46:56 15 done after finishing your college in business 12:46:59 16 administration were the courses at Collin Community 12:47:02 17 College and the other courses that you took at 12:47:04 18 Grambling, is that your testimony? 12:47:05 19 A. There are probably some more. I just -- I 12:47:13 20 remember taking some out at Denton, but I don't 12:47:16 21 know. 12:47:16 22 Q. Where is Denton? 12:47:17 23 A. In Texas. 12:47:18 24 Q. And what institution is there?</p>
Page 127	Page 129
<p>12:45:12 1 Q. What about the Fourteenth Amendment would 12:45:14 2 apply to that? 12:45:15 3 A. I'm pleading, pleading. 12:45:19 4 Q. So you're just refusing to answer, and you 12:45:22 5 believe there's some Constitutional protection; is 12:45:25 6 that a fair representation? 12:45:26 7 A. Yes, sir. 12:45:26 8 Q. And you're not going to tell me if you're 12:45:29 9 presently married; is that right? 12:45:30 10 A. (No verbal response) 12:45:33 11 Q. Is that correct? 12:45:34 12 A. I have some Constitutional protections. I 12:45:39 13 plead them. 12:45:40 14 Q. And you're not going to answer them? 12:45:41 15 A. Under my Constitutional right, no. 12:45:44 16 Q. Will you tell me if you've ever been 12:45:46 17 married? 12:45:46 18 A. Fifth. 12:45:47 19 Q. Will you tell me if you've ever been 12:45:49 20 divorced? 12:45:49 21 A. Fifth. 12:45:50 22 Q. Will you tell me if you've ever had 12:45:52 23 children? 12:45:52 24 A. Fifth.</p>	<p>12:47:19 1 A. Hmm? 12:47:21 2 Q. What institution is there? 12:47:22 3 A. Denton. 12:47:23 4 Q. Denton is the institution? 12:47:25 5 A. Uh-hmm. 12:47:25 6 Q. Where is it? 12:47:26 7 A. Denton. 12:47:26 8 Q. So is it the University of Denton or Denton 12:47:30 9 College? 12:47:30 10 A. Yes. I don't know. It's in Denton. I 12:47:37 11 think it's the only one. 12:47:39 12 Q. Is it a community college or a university? 12:47:39 13 A. Probably a university. I don't know. 12:47:42 14 I think that completes my education. I 12:47:45 15 think. 12:47:45 16 Q. What courses did you take at Denton? 12:47:46 17 A. I took some online courses. 12:47:48 18 Q. Are you now talking about the courses you 12:47:50 19 took at Denton, or is that separate? 12:47:53 20 A. Are we still on my education? 12:47:56 21 Q. Right. And you've told me you took courses 12:47:59 22 at Denton. 12:47:59 23 A. A course. 12:48:00 24 Q. What was the course you took at Denton?</p>

33 (Pages 126 to 129)

Janice L. Stevenson

09/07/2006

Page 130	Page 132
<p>12:48:02 1 A. It was a computer course.</p> <p>12:48:03 2 Q. What kind of computer course?</p> <p>12:48:04 3 A. I don't know. A business course, I believe.</p> <p>12:48:11 4 Q. So the use of computers in business, that</p> <p>12:48:13 5 sort of thing?</p> <p>12:48:13 6 A. I don't know. We did a lot of reading about</p> <p>12:48:18 7 businesses, so I guess it's a business course.</p> <p>12:48:22 8 Q. Did it involve computers as well?</p> <p>12:48:24 9 A. No. Just reading.</p> <p>12:48:27 10 Q. So it wasn't a computer course. It was a</p> <p>12:48:29 11 business course?</p> <p>12:48:29 12 A. It was a business course.</p> <p>12:48:30 13 Q. Do you remember what aspect of business it</p> <p>12:48:33 14 concerned?</p> <p>12:48:33 15 A. No.</p> <p>12:48:33 16 Q. When did you take that course?</p> <p>12:48:36 17 A. I don't know the year.</p> <p>12:48:39 18 Q. Do you know the decade?</p> <p>12:48:40 19 A. When I was in Texas, before I came here. I</p> <p>12:48:46 20 came here in -- I guess in the '90s.</p> <p>12:48:51 21 Q. And you were about to say you came here in</p> <p>12:48:56 22 2000 what? Do you remember what year you moved to</p> <p>12:48:58 23 Massachusetts?</p> <p>12:48:59 24 A. Fifth.</p>	<p>12:50:33 1 A. I've done some self-study courses.</p> <p>12:50:47 2 Q. Like what?</p> <p>12:50:47 3 A. Purchasing courses.</p> <p>12:50:48 4 Q. When did you take a self-study purchasing</p> <p>12:50:51 5 course?</p> <p>12:50:51 6 A. In the '90s.</p> <p>12:50:54 7 Q. And was that in association with any other</p> <p>12:50:57 8 educational institution?</p> <p>12:50:58 9 A. No.</p> <p>12:50:58 10 Q. So did you purchase a study program and you</p> <p>12:51:02 11 did it on your own?</p> <p>12:51:03 12 A. No. I borrowed a -- I borrowed someone's</p> <p>12:51:08 13 book. I borrowed a study guide, and I just studied</p> <p>12:51:10 14 from that.</p> <p>12:51:11 15 Q. Did you take some sort of test?</p> <p>12:51:13 16 A. Yes.</p> <p>12:51:13 17 Q. And what was that?</p> <p>12:51:15 18 A. The purchasing test.</p> <p>12:51:22 19 Q. Did you pass it?</p> <p>12:51:23 20 A. Yes.</p> <p>12:51:24 21 Q. And what certification did you receive?</p> <p>12:51:26 22 A. CPM.</p> <p>12:51:28 23 Q. What does that stand for?</p> <p>12:51:30 24 A. Certified purchasing manager.</p>
Page 131	Page 133
<p>12:49:03 1 Q. You're going to plead the Fifth as to what</p> <p>12:49:06 2 year you moved to Massachusetts. And do you believe</p> <p>12:49:08 3 that implicates you in a crime or --</p> <p>12:49:11 4 A. Fifth.</p> <p>12:49:11 5 Q. You mentioned online courses. Were those</p> <p>12:49:22 6 the same course you took at Denton, or are those</p> <p>12:49:25 7 separate from what you've testified about so far?</p> <p>12:49:28 8 A. I still take courses online in regard to</p> <p>12:49:32 9 Microsoft and spreadsheeting and charting and</p> <p>12:49:41 10 presentations, different stuff you take online, but</p> <p>12:49:46 11 they don't lead to anything. I don't know. You</p> <p>12:49:52 12 just take them.</p> <p>12:49:52 13 Q. And through what institution do you take</p> <p>12:49:55 14 those courses?</p> <p>12:49:56 15 A. Just online. Like HP learning, HP.</p> <p>12:49:58 16 Q. So this isn't a formal program?</p> <p>12:50:00 17 A. No. Just something you log on. It's free.</p> <p>12:50:05 18 It was free.</p> <p>12:50:06 19 Q. Do you remember receiving any other formal</p> <p>12:50:13 20 education other than what we've talked about in</p> <p>12:50:17 21 terms of your bachelor's degree at Grambling, the</p> <p>12:50:20 22 advanced courses you took at Grambling, courses you</p> <p>12:50:22 23 took at Collin County Community College, courses you</p> <p>12:50:26 24 took in Denton and online courses?</p>	<p>12:51:32 1 Q. And does that serve as any sort of license</p> <p>12:51:41 2 that would allow you to do something you wouldn't</p> <p>12:51:44 3 otherwise be allowed to do?</p> <p>12:51:45 4 A. It's more of -- I guess it's certification</p> <p>12:51:54 5 to the purchase field that you understand purchasing</p> <p>12:51:58 6 policies, procedures, you have a good knowledge of</p> <p>12:52:03 7 it. I don't know how to relate it to -- Once you</p> <p>12:52:07 8 get the JD, that's it? That's the ultimate in law,</p> <p>12:52:10 9 right?</p> <p>12:52:11 10 Q. Can be.</p> <p>12:52:11 11 A. I don't know what the other certifications</p> <p>12:52:15 12 are in law. I guess to accounting you can be a CPA.</p> <p>12:52:19 13 Even though you can have a master's in accounting,</p> <p>12:52:23 14 you can take some certifications in accounting. And</p> <p>12:52:26 15 it just kind of tells people I've taken a</p> <p>12:52:28 16 certification, I'm kind of grounded in my theory.</p> <p>12:52:32 17 Q. You have certain qualifications?</p> <p>12:52:34 18 A. Yes.</p> <p>12:52:35 19 Q. And those are qualifications that would be</p> <p>12:52:37 20 advanced sort of among the general populous?</p> <p>12:52:40 21 A. Yes, sir. Who are in that particular field,</p> <p>12:52:42 22 because it's just to purchasing.</p> <p>12:52:46 23 Q. So you would be more qualified to do</p> <p>12:52:47 24 purchasing than someone who didn't have that</p>

34 (Pages 130 to 133)

Janice L. Stevenson

09/07/2006

Page 154	Page 156
<p>01:15:56 1 that's going on somewhere in the United States 01:15:57 2 because you can't take that course online. 01:16:02 3 If you sign up for a virtual course and 01:16:05 4 a virtual test, they want a thousand-plus dollars. 01:16:09 5 And it was just -- 01:16:10 6 Q. So what's the name of the organization? 01:16:13 7 A. WorldatWork Society of Professionals. 01:16:16 8 WorldatWork. 01:16:17 9 Q. And what's the name of the certification 01:16:18 10 that you're studying for? 01:16:20 11 A. It was a CBP, certified benefits 01:16:23 12 professional. 01:16:23 13 Q. Okay. And are you finished with that course 01:16:25 14 of study? 01:16:26 15 A. Oh, my goodness. I haven't started. I keep 01:16:29 16 looking at the prices. It's killing me. 01:16:31 17 Q. Okay. Do you believe that your 01:16:34 18 experience -- your work experience and your 01:16:36 19 background would give you a jump start in the skill? 01:16:38 20 A. It is because it gives you -- they give 01:16:42 21 you -- they test your knowledge on the Website. And 01:16:46 22 you go under benefits. It's all most stuff you 01:16:49 23 know. 01:16:50 24 Say, for instance, if you get sick,</p>	<p>yet? 01:17:54 2 A. I haven't done the studying yet. 01:17:56 3 Q. Okay. And we talked about accounts 01:17:58 4 receivable and accounts payable. Do you have any 01:18:00 5 other sort of training or education in the finance 01:18:02 6 field? 01:18:02 7 A. No. 01:18:03 8 Q. Nothing at all? 01:18:04 9 A. No. 01:18:04 10 Q. We're almost done with education. Is there 01:18:11 11 any other education you can remember in your life 01:18:13 12 that we haven't talked about? 01:18:15 13 A. Oh, my goodness. 01:18:16 14 Q. Take a minute. 01:18:29 15 A. No. I worked on most every clerical bill I 01:18:33 16 can think of. Right now the big difference of me 01:18:35 17 working from back when I got out of school until now 01:18:39 18 is there's so many certifications. And what's 01:18:42 19 moving -- That's the reason I want to do benefits, 01:18:46 20 because we have an Asian society. Benefits is the 01:18:49 21 big buzz word now. I want to specialize so I can 01:18:52 22 stay employed. 01:18:55 23 Q. Okay. 01:18:56 24 A. I hope that answers that question.</p>
Page 155	Page 157
<p>01:16:52 1 which kicks in first, long-term disability or Social 01:16:56 2 Security? And they ask you the month it takes. And 01:16:59 3 most people know that, generally. 01:17:01 4 Q. People who have experience in the field? 01:17:02 5 A. Yeah. Even at work you know that if you 01:17:06 6 became disabled and you had taken long-term 01:17:09 7 disability and you had to take off from your job, 01:17:11 8 that doesn't kick in until the 91st day. And that's 01:17:16 9 your long-term disability. 01:17:21 10 When can you apply for Social Security. 01:17:24 11 You've been away from your job long enough. You 01:17:27 12 would know within five months. This is the kind of 01:17:33 13 stuff you know. 01:17:33 14 Q. As an employee? 01:17:34 15 A. Yeah. 01:17:35 16 Q. And do you think that you know that better 01:17:36 17 than the average layman from your experience? 01:17:39 18 A. As a layman, from working you know that. 01:17:42 19 Q. But you personally, do you think you know it 01:17:44 20 better than the average layman, having worked in the 01:17:46 21 human resources field, or do you just consider 01:17:48 22 yourself on par with everybody else? 01:17:50 23 A. On par with everybody else. 01:17:51 24 Q. Okay. Because you haven't done the studying</p>	<p>01:18:59 1 Q. Yeah. Let me know if you need to take a 01:19:04 2 break at any time. I'm trying to get through this 01:19:09 3 best as I can. 01:19:09 4 That segues to where we're going next, 01:19:12 5 which is your current employment. Are you currently 01:19:15 6 employed? 01:19:15 7 A. Let me see. Yes. I do temporary 01:19:20 8 employment. I've been there about -- That's as far 01:19:29 9 as I'll go. 01:19:29 10 Q. Through what agency do you do temporary 01:19:33 11 employment? 01:19:33 12 A. ASG. 01:19:34 13 Q. And what kind of temporary employment do you 01:19:37 14 do with them? 01:19:37 15 A. Well, for this one I cover for HR jobs. 01:19:44 16 Q. An HR generalist job? 01:19:46 17 A. Recruiting. Normally looking over 01:19:48 18 applications, determining if their skill-set fits 01:19:54 19 the job. If it does, bring them back in and take 01:19:59 20 them through the enrollment process and then put 01:20:02 21 them into the payroll system. 01:20:05 22 Q. Does the studying you did for the HR program 01:20:09 23 help you do that kind of work? 01:20:10 24 A. It does.</p>

40 (Pages 154 to 157)

Legalink Boston, a Merrill Communications Company
(617) 542-0039

eb2827ab-6285-4fb1-b765-9962caa2bd64

Janice L. Stevenson

09/07/2006

Page 174	Page 176
<p>01:37:10 1 Q. With the DUA?</p> <p>01:37:11 2 A. The DUA. The reason it stuck on my mind,</p> <p>01:37:14 3 because there was no wages anywhere.</p> <p>01:37:18 4 Q. You mean, DUA had no record of wages?</p> <p>01:37:21 5 A. No record of wages. I was shocked.</p> <p>01:37:23 6 Q. From Ace, Ajilon or NHCS?</p> <p>01:37:26 7 A. Right.</p> <p>01:37:26 8 Q. So what documents did you submit to DUA?</p> <p>01:37:28 9 A. I had to find check stubs.</p> <p>01:37:33 10 Q. That's what you submitted?</p> <p>01:37:34 11 A. Yes, sir.</p> <p>01:37:34 12 Q. From all three of those companies?</p> <p>01:37:36 13 A. Yes. And some tax forms.</p> <p>01:37:43 14 Q. 1099s and --</p> <p>01:37:46 15 A. W-2s, something like that.</p> <p>01:37:47 16 Q. Were they all W-2s or something like that?</p> <p>01:37:50 17 A. Either they wanted W-2s, but I hadn't</p> <p>01:37:54 18 done -- For Ace I believe -- I hadn't done anything</p> <p>01:38:00 19 for Ace. So I had to find check stubs for Ace and</p> <p>01:38:04 20 Ajilon and tax forms for NHCS.</p> <p>01:38:08 21 Q. And you submitted all of that to DUA?</p> <p>01:38:11 22 A. I did.</p> <p>01:38:12 23 Q. Do you have copies of what you submitted?</p> <p>01:38:16 24 A. I got copies of the folder at the hearing.</p>	<p>01:39:24 1 Q. Okay. So you got it back from DUA?</p> <p>01:39:27 2 A. I got it back and I made copies.</p> <p>01:39:28 3 Q. And you still have those copies?</p> <p>01:39:30 4 A. I still have those copies probably in</p> <p>01:39:36 5 some -- I guess they're in the house somewhere.</p> <p>01:39:38 6 Q. What house is that?</p> <p>01:39:39 7 A. The place sometimes I store stuff at.</p> <p>01:39:42 8 Q. And where is that?</p> <p>01:39:43 9 A. It depends.</p> <p>01:39:46 10 Q. The house moves?</p> <p>01:39:49 11 A. No. The Fifth.</p> <p>01:39:51 12 Q. You're going to plead the Fifth as to where</p> <p>01:39:52 13 you keep your documents?</p> <p>01:39:53 14 A. Yeah.</p> <p>01:39:54 15 Q. Okay. We've talked about the three</p> <p>01:39:58 16 employment agencies, we talked about Massport. And</p> <p>01:40:01 17 those are employments you've had since your contract</p> <p>01:40:03 18 with NHCS was terminated?</p> <p>01:40:05 19 A. Uh-hmm.</p> <p>01:40:06 20 Q. Have you performed services for any other</p> <p>01:40:07 21 company since your contract with NHCS was terminated</p> <p>01:40:08 22 outside the employment context?</p> <p>01:40:09 23 A. Not that I can remember. Have you got</p> <p>01:40:10 24 something in mind?</p>
Page 175	Page 177
<p>01:38:23 1 Q. What hearing is this? Are we talking about</p> <p>01:38:26 2 a hearing held by DUA?</p> <p>01:38:27 3 A. Yes.</p> <p>01:38:28 4 Q. When was that?</p> <p>01:38:28 5 A. In May or June, remember?</p> <p>01:38:32 6 Q. I wasn't there.</p> <p>01:38:34 7 A. No. That's right. Nobody came.</p> <p>01:38:37 8 Q. So in May or June there was a hearing held</p> <p>01:38:39 9 by DUA that you attended and no one attended on</p> <p>01:38:42 10 behalf of NHCS?</p> <p>01:38:44 11 A. That's right.</p> <p>01:38:44 12 Q. And you don't know the specific date?</p> <p>01:38:46 13 A. I want to say the 25th of May because the</p> <p>01:38:50 14 first one was cancelled. I think it was May. There</p> <p>01:38:57 15 was something in -- Was there something in June?</p> <p>01:39:02 16 It's a blur.</p> <p>01:39:03 17 Q. Okay. So the question was, did you retain</p> <p>01:39:05 18 copies of everything that you submitted to DUA?</p> <p>01:39:08 19 A. I don't think so, but when I got the folder</p> <p>01:39:10 20 I got all that. See, when you go to a hearing they</p> <p>01:39:17 21 give you a file. And everything I submitted was</p> <p>01:39:21 22 supposed to be in that file.</p> <p>01:39:22 23 Q. And was it?</p> <p>01:39:23 24 A. Yes.</p>	<p>01:40:19 1 Q. No. It's an open-ended question.</p> <p>01:40:24 2 A. No. That's all my employment for money. I</p> <p>01:40:27 3 work for money.</p> <p>01:40:28 4 Q. Have you received compensation from any</p> <p>01:40:33 5 organization other than Massport, PSG, Ajilon or Ace</p> <p>01:40:41 6 since June of 2005?</p> <p>01:40:43 7 A. Department of Unemployment.</p> <p>01:40:43 8 Q. Any other source of income?</p> <p>01:40:45 9 A. I don't think so. Unemployment and, of</p> <p>01:40:51 10 course, what I'm working now.</p> <p>01:40:54 11 Q. And that came from PSG?</p> <p>01:40:55 12 A. PSG.</p> <p>01:40:56 13 Q. So the answer to the question is? Have you</p> <p>01:40:59 14 received income from any other source than Massport,</p> <p>01:41:03 15 PSG, Ajilon and Ace, the answer is?</p> <p>01:41:07 16 A. No, not that I know of.</p> <p>01:41:08 17 Q. Again, if you remember anything as we</p> <p>01:41:14 18 proceed, let me know.</p> <p>01:41:17 19 MR. MILLER: I think we should take a</p> <p>01:41:19 20 break. Okay.</p> <p>01:41:19 21 (Recess taken)</p> <p>02:00:09 22 (Exhibit Number 3</p> <p>02:00:09 23 marked for identification)</p> <p>02:00:09 24 Q. Ms. Stevenson, I'm showing you a document</p>

45 (Pages 174 to 177)

Janice L. Stevenson

09/07/2006

Page 178	Page 180
<p>02:00:12 1 that has been marked as Exhibit 3. Do you recognize 02:00:14 2 that document? 02:00:26 3 A. I guess it's an application. 02:00:27 4 Q. Is it an application or resume? 02:00:29 5 A. I'm sorry. It's a resume. 02:00:31 6 Q. Did you prepare this document? 02:00:32 7 A. I guess I did. 02:00:34 8 Q. Did you have any help preparing it? 02:00:36 9 A. I don't remember. 02:00:37 10 Q. Is it your practice to keep an updated 02:00:41 11 resume? 02:00:42 12 A. No. Now I have none. 02:00:48 13 Q. You don't even have a copy of that one 02:00:51 14 anymore? 02:00:51 15 A. No. 02:00:51 16 Q. What happened to it? 02:00:53 17 A. I deleted them. 02:00:54 18 Q. You deleted them from your computer? 02:00:56 19 A. If I don't use it anymore, I don't just keep 02:01:01 20 them. 02:01:01 21 Q. So the answer is yes, you deleted it from 02:01:03 22 your computer? 02:01:04 23 A. I don't have it. I don't have any up-to- 02:01:06 24 date resumes. I think that was your question.</p>	<p>02:01:51 1 Q. Do you have a computer at home? 02:01:53 2 A. I have a computer at home. 02:01:55 3 Q. What kind of computer is it? 02:01:57 4 A. It's a computer. 02:02:00 5 Q. Is it a desktop or a laptop? 02:02:02 6 A. It's on top of a desk. Is that a desktop? 02:02:07 7 Q. Do you know what the difference between a 02:02:09 8 desktop and laptop is? 02:02:11 9 A. Yeah. 02:02:11 10 Q. Is it a desktop or laptop? 02:02:13 11 A. I guess it's a laptop. 02:02:19 12 Q. Like the one Ms. Keegan has? 02:02:21 13 A. Yeah. Hers is nicer. 02:02:23 14 Q. What brand is yours? 02:02:24 15 A. I think it's a Dell. 02:02:30 16 Q. When did you purchase it? 02:02:31 17 A. I didn't. 02:02:31 18 Q. Where did you get it? 02:02:34 19 A. It was given to me. 02:02:35 20 Q. By whom? 02:02:36 21 A. Somebody I know. 02:02:38 22 Q. What is that person's name? 02:02:40 23 A. Just a person. 02:02:44 24 Q. That's not what I asked you. What's that</p>
Page 179	Page 181
<p>02:01:08 1 Q. I asked you if you had it. You said you 02:01:10 2 deleted it. 02:01:11 3 A. I don't have it. 02:01:12 4 Q. So do you know if you deleted it from your 02:01:16 5 computer? 02:01:16 6 A. I don't have it. 02:01:17 7 Q. That's not what I asked you. 02:01:18 8 A. How old is this? 02:01:19 9 Q. I'll ask the questions. 02:01:21 10 A. Okay. 02:01:21 11 Q. The question is, do you know if you deleted 02:01:24 12 this document from your computer? 02:01:25 13 A. I know I don't have it. 02:01:26 14 Q. Do you know if you had it on your computer 02:01:28 15 at one time? 02:01:28 16 A. I probably did this at NHCS. 02:01:34 17 Q. So you did it on the NHCS computer 02:01:38 18 maintained at the school? 02:01:39 19 A. Yes. 02:01:39 20 Q. Did you ever have a resume on your home 02:01:41 21 computer? 02:01:41 22 A. I don't know. 02:01:47 23 Q. You don't know if you ever had a resume? 02:01:49 24 A. I'm not sure. I don't have it now.</p>	<p>02:02:47 1 person's name? 02:02:47 2 A. You know. 02:02:48 3 Q. I don't know. That's why I asked you. What 02:02:51 4 is the person's name? 02:02:51 5 A. The person's name is John. 02:02:54 6 Q. What's the person's last name? 02:02:56 7 A. Stevenson. 02:02:57 8 Q. Is this your husband, former husband? 02:03:01 9 A. (No verbal response) 02:03:05 10 Q. Do you understand the question? 02:03:06 11 A. Fifth. 02:03:07 12 Q. You're going to plead the Fifth as to 02:03:10 13 whether this person, John Stevenson, is or was ever 02:03:12 14 married to you? 02:03:13 15 A. Yes, sir. 02:03:13 16 Q. And you understand from what I've told you 02:03:17 17 thus far that it's our position that that's an 02:03:20 18 inappropriate assertion of the Fifth Amendment? 02:03:22 19 A. Yes, sir. 02:03:23 20 Q. And you nonetheless intend to assert that 02:03:28 21 ostensible privilege? 02:03:29 22 A. I don't know. Constitution infringement or 02:03:33 23 something like that. 02:03:33 24 Q. You're refusing to answer the question; is</p>

46 (Pages 178 to 181)

Janice L. Stevenson

09/07/2006

Page 182	Page 184
<p>02:03:40 1 that right?</p> <p>02:03:40 2 A. I've answered all I know, sir.</p> <p>02:03:46 3 Q. Well, no, that's not true. You know whether</p> <p>02:03:49 4 or not John --</p> <p>02:03:49 5 A. To the best of my ability.</p> <p>02:03:51 6 Q. Do you know whether or not John Stevenson is</p> <p>02:03:54 7 or was your husband?</p> <p>02:03:55 8 A. (No verbal response)</p> <p>02:03:58 9 Q. Do you understand that question?</p> <p>02:03:59 10 A. I'm not sure.</p> <p>02:04:07 11 Q. You don't know if you understand the</p> <p>02:04:08 12 question I asked, which is --</p> <p>02:04:10 13 A. I'm taking the Fifth. I'm not responding.</p> <p>02:04:13 14 Q. That's what I asked you. You're not going</p> <p>02:04:15 15 to respond to the question?</p> <p>02:04:16 16 A. On the Fifth.</p> <p>02:04:19 17 Q. When did John Stevenson give you this</p> <p>02:04:21 18 computer?</p> <p>02:04:22 19 A. I don't remember the month.</p> <p>02:04:27 20 Q. Do you remember the year?</p> <p>02:04:28 21 A. I don't think so.</p> <p>02:04:30 22 Q. Was it before 2004?</p> <p>02:04:35 23 A. I'm not sure.</p> <p>02:04:38 24 Q. Was it before 2000?</p>	<p>02:05:44 1 Q. Did you have a computer at the time you</p> <p>02:05:46 2 performed services for NHCS?</p> <p>02:05:48 3 A. I had computer access.</p> <p>02:05:51 4 Q. Did you have a computer at home?</p> <p>02:05:53 5 A. When I was at NHCS, I don't remember.</p> <p>02:05:59 6 Q. You testified earlier today you occasionally</p> <p>02:06:01 7 took the payroll documents home and accessed the</p> <p>02:06:06 8 school's payroll system via the Web; is that right?</p> <p>02:06:08 9 A. Yes, but you can have access within a</p> <p>02:06:11 10 building that will let you -- that has a community</p> <p>02:06:12 11 computer room.</p> <p>02:06:13 12 Q. Is that what you did, you accessed it</p> <p>02:06:15 13 through the community computer room?</p> <p>02:06:17 14 A. Well, I had computer access.</p> <p>02:06:18 15 Q. What type of access did you have?</p> <p>02:06:19 16 A. You know, you get on the Web.</p> <p>02:06:23 17 Q. Where? Where did you go to use a computer?</p> <p>02:06:28 18 A. Mainly in Cambridge, in Porter Square.</p> <p>02:06:32 19 Q. What building?</p> <p>02:06:34 20 A. Probably either in the computer room at</p> <p>02:06:50 21 Leslie or the women's center in Cambridge or you can</p> <p>02:07:01 22 use the Y's computer.</p> <p>02:07:04 23 Q. Earlier you specifically said that you would</p> <p>02:07:06 24 access the Web at home. Did you have computer</p>
Page 183	Page 185
<p>02:04:41 1 A. I don't know.</p> <p>02:04:41 2 Q. Was it before 1985?</p> <p>02:04:45 3 A. I don't know.</p> <p>02:04:47 4 Q. So it's your testimony that you have no</p> <p>02:04:50 5 memory as to when he gave you this laptop computer?</p> <p>02:04:54 6 A. I don't remember.</p> <p>02:04:54 7 Q. You don't remember specifically. What I'm</p> <p>02:04:56 8 asking for is your best memory. You have absolutely</p> <p>02:05:00 9 no recollection when in your life John Stevenson</p> <p>02:05:03 10 gave you this laptop computer?</p> <p>02:05:05 11 A. I don't remember when.</p> <p>02:05:07 12 Q. Can you narrow it down to a decade?</p> <p>02:05:09 13 A. During the 2000 period.</p> <p>02:05:12 14 Q. So from 2000 to date?</p> <p>02:05:14 15 A. Well, yeah.</p> <p>02:05:17 16 Q. So sometime after January 1, 2000?</p> <p>02:05:21 17 A. Yeah.</p> <p>02:05:22 18 Q. Was it before you started providing services</p> <p>02:05:28 19 to NHCS?</p> <p>02:05:29 20 A. I don't know.</p> <p>02:05:32 21 Q. Did you have the computer at the time you</p> <p>02:05:34 22 performed services for NHCS?</p> <p>02:05:36 23 A. I don't know. I don't know. I really don't</p> <p>02:05:44 24 know.</p>	<p>02:07:09 1 access in your home during the period of time that</p> <p>02:07:11 2 you performed services for NHCS?</p> <p>02:07:12 3 A. When you say "home," are you talking about,</p> <p>02:07:15 4 like, a private residence, or is it -- home is</p> <p>02:07:18 5 wherever I'm sleeping at night?</p> <p>02:07:20 6 Q. We'll take it one at a time. Did you have</p> <p>02:07:22 7 computer --</p> <p>02:07:24 8 A. That's it.</p> <p>02:07:25 9 Q. Let me get the question out. Did you have</p> <p>02:07:27 10 computer access in your residence during the time</p> <p>02:07:29 11 that you performed services for NHCS?</p> <p>02:07:33 12 A. No, not all the time.</p> <p>02:07:35 13 Q. Did you sometimes?</p> <p>02:07:36 14 A. I've always had computer access.</p> <p>02:07:42 15 Q. The question is, did you have computer</p> <p>02:07:44 16 access at your residence?</p> <p>02:07:45 17 A. Not all the time. Sometimes the computers</p> <p>02:07:47 18 didn't work.</p> <p>02:07:48 19 Q. But they were there?</p> <p>02:07:49 20 A. They were there.</p> <p>02:07:49 21 Q. And where was that?</p> <p>02:07:51 22 A. Either Porter Square or the women's center</p> <p>02:07:52 23 or the Y.</p> <p>02:07:52 24 Q. We're talking about your residence now.</p>

47 (Pages 182 to 185)

Janice L. Stevenson

09/07/2006

Page 186	Page 188
<p>02:08:01 1 During the period of time that you had Internet 02:08:04 2 access at your residence, where were you living? 02:08:06 3 A. It depends. It could have been several 02:08:17 4 places. 02:08:19 5 Q. Name them for me. 02:08:20 6 A. I just told you either the Y -- 02:08:22 7 Q. That was your residence for some period of 02:08:24 8 time? 02:08:24 9 A. Or at -- 02:08:26 10 Q. Hold on. Just answer that question. 02:08:27 11 A. Or in the computer room. 02:08:29 12 Q. At? 02:08:30 13 A. Leslie University in Porter. 02:08:33 14 Q. Did you live at Leslie University at any 02:08:35 15 period of time? 02:08:35 16 A. Computer access. 02:08:38 17 Q. I understand we're talking about computer 02:08:40 18 access, Ms. Stevenson. The question is much more 02:08:43 19 specific than that. 02:08:43 20 A. That's right. You referred back to payroll. 02:08:48 21 Q. Don't worry about prior questions. 02:08:53 22 A. Accessing the Web. 02:08:54 23 Q. You told me you'd gone to various places to 02:08:56 24 access the Web. During the period of time that you</p>	<p>02:09:53 1 Q. I understand that you were using a computer 02:09:58 2 to access the payroll records. The question is, was 02:10:00 3 that computer in your residence? 02:10:01 4 A. There was community computers there. 02:10:10 5 Q. That's not what I asked you. 02:10:12 6 A. Yeah. If it's community computers, there's 02:10:14 7 a computer there. 02:10:16 8 Q. Computer where? 02:10:17 9 A. Where I accessed the Web for the payroll. 02:10:21 10 Q. Was that at your residence? 02:10:23 11 A. The Fifth. 02:10:26 12 Q. You're going to plead the Fifth as to 02:10:29 13 whether you ever accessed the school's computer 02:10:32 14 payroll system from your residence? 02:10:33 15 A. Well, the school's computer system was on 02:10:42 16 Ceridian's computer. 02:10:43 17 Q. I understand. You're telling me you're 02:10:46 18 going to -- 02:10:46 19 A. Any way in the world you can access this 02:10:51 20 payroll window is specifically for Neighborhood 02:10:54 21 House. 02:10:54 22 Q. And you did that, in fact, right? 02:10:56 23 A. If I'm out -- I'm somewhere that has 02:11:00 24 computer access on the weekends, late or early or</p>
Page 187	Page 189
<p>02:08:58 1 worked for NHCS, did you ever have computer access 02:09:02 2 at your residence? 02:09:02 3 A. Sometimes. 02:09:05 4 Q. Okay. Where were you living when you had 02:09:07 5 computer access at your residence? Do you 02:09:15 6 understand the question? 02:09:15 7 A. Fifth. 02:09:17 8 Q. So you're going to plead the Fifth as to 02:09:20 9 where you lived when you had computer access at your 02:09:23 10 residence? 02:09:23 11 A. Computer access within several community 02:09:27 12 buildings, yes. 02:09:28 13 Q. We've talked about that. Now we are just 02:09:31 14 talking about your residence. You're not going to 02:09:34 15 tell me where you lived when you had computer access 02:09:37 16 at your residence, right? 02:09:38 17 A. Fifth. 02:09:38 18 Q. You're not going to tell me that even though 02:09:40 19 you've already told me you used computer access to 02:09:43 20 perform computer services for the school. 02:09:46 21 A. On the weekends. 02:09:46 22 Q. Did you do that from your residence? 02:09:49 23 A. "Residence" is a broad term. It's where I'd 02:09:53 24 use the computer.</p>	<p>02:11:04 1 whenever, I can put it in. 02:11:07 2 Q. I understand. You've told me that you 02:11:10 3 accessed the Ceridian payroll system on behalf of -- 02:11:14 4 A. That's all I can say, sir. Sir, that's all 02:11:17 5 I can say. 02:11:17 6 Q. Why is that all you can say? 02:11:19 7 A. Because my recollection is going to get 02:11:24 8 clouded with this headache that's coming on. 02:11:27 9 Q. Did you ever access the Ceridian payroll 02:11:29 10 system that related to NHCS from your residence? Do 02:11:42 11 you understand the question? 02:11:43 12 A. Fifth. 02:11:43 13 Q. And you understand that you claim to be 02:11:46 14 performing services for NHCS by accessing this 02:11:50 15 payroll system, right? 02:11:50 16 A. Yeah. 02:11:53 17 Q. And you're not going to tell me where you 02:11:53 18 accessed it from or whether you accessed it from 02:11:56 19 your residence? 02:11:57 20 A. They didn't care. Why do you? 02:11:58 21 Q. It's not fair to pick apart my questions. 02:12:03 22 A. They didn't care. 02:12:05 23 Q. That's not the question on the table. We 02:12:07 24 discussed this several times. Your job is not to</p>

48 (Pages 186 to 189)

Janice L. Stevenson

09/07/2006

Page 190	Page 192
<p>02:12:10 1 analyze my questions, not to judge my questions. 02:12:12 2 It's to answer my questions. 02:12:13 3 The question is, did you ever during the 02:12:16 4 period of time that you were performing services for 02:12:17 5 NHCS access the Ceridian payroll system that NHCS 02:12:22 6 maintained from your residence? 02:12:24 7 A. Fifth. 02:12:24 8 Q. Referring you back to the resume that we've 02:12:37 9 marked as Exhibit 3, you testified that you prepared 02:12:40 10 that document, correct? 02:12:41 11 A. Yes, sir. 02:12:42 12 Q. Do you know when you prepared -- Strike 02:12:44 13 that. 02:12:45 14 Do you know when you completed the 02:12:46 15 document? 02:12:46 16 A. No, I don't remember when. 02:12:47 17 Q. Do you have a guess as to the -- Strike 02:12:49 18 that. 02:12:50 19 Can you tell me the decade in which you 02:12:52 20 prepared it? 02:12:52 21 A. Well, the last date says 2003. Where did 02:13:01 22 you get it from? 02:13:02 23 Q. I'm not here to answer your questions. If 02:13:04 24 the last date says 2003, does that cause you to</p>	<p>02:14:10 1 were providing services to NHCS through Ace 02:14:13 2 employment agency? 02:14:14 3 A. Yeah, I was on the computer. 02:14:16 4 Q. So that is your recollection, that is when 02:14:17 5 you prepared this document? 02:14:18 6 A. I guess. That's the best I can guess. 02:14:20 7 Q. I don't want you to guess. I want you to 02:14:22 8 tell me if you have a memory. 02:14:23 9 A. I don't know where or when I prepared it. 02:14:27 10 Q. You have no memory? 02:14:27 11 A. Yeah. But if you have it, it must have been 02:14:30 12 associated with Neighborhood House. 02:14:31 13 Q. But you're just speculating there? Your 02:14:34 14 only basis for believing you prepared that at NHCS 02:14:37 15 is that I just handed it to you? 02:14:38 16 A. Yes, sir. 02:14:39 17 Q. Do you know if you prepared this resume for 02:14:43 18 any specific purpose? 02:14:45 19 A. A job. 02:14:48 20 Q. Do you know which job? 02:14:49 21 A. I guess the job I was working at -- I wanted 02:14:57 22 to go work in, the finance office. 02:14:59 23 Q. Within NHCS? 02:15:00 24 A. Yes, sir.</p>
Page 191	Page 193
<p>02:13:07 1 question your earlier speculation that you prepared 02:13:09 2 it at NHCS? 02:13:10 3 A. No, because I was at NHCS in 2004. 02:13:22 4 Q. And you didn't put any position on this 02:13:23 5 resume that related to NHCS, did you? 02:13:26 6 A. No, because I normally put the position I'm 02:13:29 7 applying for. You use past experiences. 02:13:31 8 Q. So is it your testimony that you prepared 02:13:33 9 this resume to apply for a position with NHCS? 02:13:36 10 A. I guess. I don't remember what I've given 02:13:40 11 them. 02:13:40 12 Q. So if you prepared this resume to apply for 02:13:43 13 a position at NHCS, you wouldn't have prepared it at 02:13:46 14 NHCS, would you? 02:13:48 15 A. Yeah, I would have. 02:13:48 16 Q. How would that have come about? 02:13:50 17 A. Because when I went to NHCS, I was in the 02:13:54 18 development office, and there was a computer. 02:13:58 19 Q. So are you talking now about the period of 02:14:00 20 time that you provided services to NHCS through Ace 02:14:04 21 employment agency? 02:14:05 22 A. Yes. 02:14:05 23 Q. So your best recollection is you prepared 02:14:07 24 this document during that period of time when you</p>	<p>02:15:01 1 Q. And is that speculation, again, based on the 02:15:03 2 fact that I'm the person that just handed you the 02:15:05 3 document? 02:15:06 4 A. Yes. 02:15:06 5 Q. You have no other basis? 02:15:07 6 A. Where did you get it from? I'm asking you a 02:15:10 7 question. 02:15:10 8 Q. I'm not here to answer your questions. 02:15:12 9 A. I only have to guess. If you don't want me 02:15:14 10 to guess, I'll have to say I don't know. 02:15:16 11 Q. That's a perfectly acceptable response. 02:15:18 12 A. I asked you where did you get it. You said 02:15:21 13 you're not going to answer the question. I have the 02:15:23 14 P.O. box. 02:15:24 15 Q. When did you open that P.O. box? 02:15:26 16 A. I'm not sure. 02:15:27 17 Q. What is your best recollection? 02:15:29 18 A. I don't know. I'd have to guess. 02:15:32 19 Q. Do you know if you opened it after 2000? 02:15:35 20 A. I guess so. 02:15:45 21 Q. Do you believe -- 02:15:47 22 A. I guess I don't know. I don't know. Do you 02:15:50 23 have a record? 02:15:51 24 Q. You have absolutely no memory of when you</p>

49 (Pages 190 to 193)

Janice L. Stevenson

09/07/2006

Page 194	Page 196
<p>02:15:53 1 opened the P.O. box?</p> <p>02:15:54 2 A. I don't know exactly when I opened this.</p> <p>02:15:56 3 Q. I'm not asking you for exactly. I just want</p> <p>02:15:59 4 your best memory.</p> <p>02:16:00 5 A. I don't have a best memory.</p> <p>02:16:02 6 Q. You have no memory of when you opened it?</p> <p>02:16:04 7 A. I can't answer your question without</p> <p>02:16:06 8 guessing.</p> <p>02:16:06 9 Q. Okay. When you looked at that document you</p> <p>02:16:09 10 said you had the P.O. box as if that would give you</p> <p>02:16:12 11 some indication as to when the document was</p> <p>02:16:14 12 prepared.</p> <p>02:16:15 13 A. Yeah. And I see 2003. I know Boston.</p> <p>02:16:25 14 Normally you turn in resumes to apply for a job.</p> <p>02:16:32 15 Q. But you've already testified that you don't</p> <p>02:16:34 16 have any specific memory.</p> <p>02:16:37 17 A. I don't.</p> <p>02:16:37 18 Q. Do you believe it was accurate at the time</p> <p>02:16:39 19 you prepared it?</p> <p>02:16:39 20 A. Yeah, I believe so.</p> <p>02:16:49 21 Q. Is it your practice to prepare resumes that</p> <p>02:16:52 22 are accurate?</p> <p>02:16:52 23 A. It's a very good practice because people can</p> <p>02:16:57 24 check this.</p>	<p>02:18:02 1 MIS course work. Can you tell me what that refers</p> <p>02:18:05 2 to?</p> <p>02:18:05 3 A. I guess courses relating to information</p> <p>02:18:12 4 systems.</p> <p>02:18:13 5 Q. Do you know what MIS stands for?</p> <p>02:18:15 6 A. Yeah. Masters of information systems.</p> <p>02:18:19 7 Q. So did you, in fact, receive a masters in</p> <p>02:18:23 8 information systems?</p> <p>02:18:24 9 A. No.</p> <p>02:18:24 10 Q. So this resume is, in fact, not accurate?</p> <p>02:18:27 11 A. It doesn't say I have a degree.</p> <p>02:18:31 12 Q. I see. So you list MIS course work to</p> <p>02:18:34 13 indicate that you were working towards a master's in</p> <p>02:18:38 14 information systems?</p> <p>02:18:38 15 A. The problem is, I've taken course work in</p> <p>02:18:41 16 information systems, whether it was toward a degree</p> <p>02:18:44 17 or not, because I think courses are open to be</p> <p>02:18:46 18 taken.</p> <p>02:18:46 19 Q. But you list MIS, what you're telling me</p> <p>02:18:49 20 stands for master of information systems, right?</p> <p>02:18:52 21 A. Yes. It's -- What's a master's in</p> <p>02:18:58 22 accounting? If I had taken an advanced accounting</p> <p>02:19:01 23 course and I said, Well, I've taken advanced</p> <p>02:19:05 24 accounting courses under the master's of accounting</p>
Page 195	Page 197
<p>02:16:57 1 Q. And is it, in fact, your practice to do</p> <p>02:17:00 2 that?</p> <p>02:17:00 3 A. Normally, yes. Most people do.</p> <p>02:17:06 4 Q. Do you have any other copies of your</p> <p>02:17:08 5 resume --</p> <p>02:17:08 6 A. No.</p> <p>02:17:08 7 Q. -- in hard copy or electronic form?</p> <p>02:17:11 8 A. No.</p> <p>02:17:11 9 Q. If you'll look at the bottom under</p> <p>02:17:21 10 "Education and Certification," starting at the</p> <p>02:17:25 11 bottom you have Collin County Community College. Is</p> <p>02:17:29 12 that an indication that these aren't in chronologic</p> <p>02:17:32 13 order?</p> <p>02:17:36 14 To put that another way, the first</p> <p>02:17:38 15 institution you attended on this list is Grambling</p> <p>02:17:41 16 State University; is that right?</p> <p>02:17:42 17 A. Yeah.</p> <p>02:17:42 18 Q. And then Collin County Community College?</p> <p>02:17:49 19 A. I think so, yeah.</p> <p>02:17:49 20 Q. And University of North Texas; is that</p> <p>02:17:53 21 right?</p> <p>02:17:53 22 A. Yeah.</p> <p>02:17:53 23 Q. And you'll see that with respect to the</p> <p>02:17:59 24 entry for the University of North Texas, you list</p>	<p>02:19:09 1 program, but that doesn't mean I'm going for a</p> <p>02:19:16 2 master's of accounting degree.</p> <p>02:19:18 3 Sometimes it's specific courses you want</p> <p>02:19:20 4 to take without completing the course work --</p> <p>02:19:23 5 without achieving this degree.</p> <p>02:19:25 6 Q. So does this indicate that you did some work</p> <p>02:19:28 7 in a program that if you'd finished it would have</p> <p>02:19:31 8 resulted in a MIS?</p> <p>02:19:33 9 A. Probably so if I had finished it.</p> <p>02:19:35 10 Q. That's what you're indicating here?</p> <p>02:19:36 11 A. Yeah. Some graduate courses, that's what it</p> <p>02:19:39 12 says.</p> <p>02:19:39 13 Q. For the record, what it says is "MIS course</p> <p>02:19:44 14 work," right?</p> <p>02:19:44 15 A. Yes, course work under that program.</p> <p>02:19:46 16 Q. Gotcha. And then under Grambling State</p> <p>02:19:51 17 University it lists BS. Does that refresh your</p> <p>02:19:54 18 recollection as to what the nature of the degree you</p> <p>02:19:58 19 got from Grambling was?</p> <p>02:19:59 20 A. What did I tell you?</p> <p>02:20:01 21 Q. The record will reflect whatever you said.</p> <p>02:20:03 22 A. Okay. That's what I said.</p> <p>02:20:05 23 Q. Did you, in fact, get a bachelor's of</p> <p>02:20:07 24 science from Grambling?</p>

50 (Pages 194 to 197)

Janice L. Stevenson

09/07/2006

Page 198	Page 200
<p>02:20:08 1 A. Yeah. I thought I told you that.</p> <p>02:20:10 2 Q. That's fine. And that bachelor's of science</p> <p>02:20:13 3 was in business administration; is that right?</p> <p>02:20:14 4 A. Specialty of office administration.</p> <p>02:20:19 5 Q. Both are true. It was a business</p> <p>02:20:21 6 administration degree with a specialization in</p> <p>02:20:23 7 office administration; is that right?</p> <p>02:20:25 8 A. I guess we're saying the same thing.</p> <p>02:20:27 9 Q. So what I said was accurate?</p> <p>02:20:28 10 A. I guess we're saying the same thing, I</p> <p>02:20:30 11 guess.</p> <p>02:20:30 12 Q. And then you list Collin County Community</p> <p>02:20:35 13 College. And in addition to your CPM license, which</p> <p>02:20:38 14 was this certification we talked about before,</p> <p>02:20:40 15 right?</p> <p>02:20:40 16 A. Uh-hmm.</p> <p>02:20:41 17 Q. You also list CNWT software certificate. Do</p> <p>02:20:45 18 you know what that means?</p> <p>02:20:46 19 A. Not at the moment.</p> <p>02:20:48 20 Q. You have no memory of what that refers to?</p> <p>02:20:51 21 A. No. CNWT? No.</p> <p>02:21:01 22 Do you?</p> <p>02:21:01 23 Q. I'll take that back.</p> <p>02:21:17 24 Okay. You began performing services</p>	<p>02:22:18 1 agency, what was your position -- what employment</p> <p>02:22:22 2 did you hold immediately prior to providing services</p> <p>02:22:25 3 to NHCS through Ace employment agency?</p> <p>02:22:29 4 A. Prior to August of 2004?</p> <p>02:22:31 5 Q. Right. What was the job you had immediately</p> <p>02:22:33 6 before you began providing services to NHCS through</p> <p>02:22:36 7 Ace?</p> <p>02:22:36 8 A. Another position with Ace.</p> <p>02:22:44 9 Q. Do you know what it was?</p> <p>02:22:45 10 A. No, sir.</p> <p>02:22:46 11 Q. Do you know what organization you provided</p> <p>02:22:50 12 employment -- Strike that.</p> <p>02:22:51 13 Do you know what organization you</p> <p>02:22:52 14 provided services to through Ace?</p> <p>02:22:53 15 A. No.</p> <p>02:22:54 16 Q. Do you know how long the assignment lasted?</p> <p>02:22:56 17 A. No.</p> <p>02:22:57 18 Q. Do you know the nature of the assignment?</p> <p>02:22:59 19 A. Clerical. Ace is clerical.</p> <p>02:23:03 20 Q. And so was the work you did in NHCS's</p> <p>02:23:09 21 development office in the summer of 2004 also</p> <p>02:23:12 22 clerical?</p> <p>02:23:12 23 A. Just clerical.</p> <p>02:23:12 24 Q. What was the last regular employment</p>
Page 199	Page 201
<p>02:21:19 1 initially for NHCS through Ace employment agency; is</p> <p>02:21:22 2 that right?</p> <p>02:21:22 3 A. Uh-hmm. Yes, sir.</p> <p>02:21:24 4 Q. And when was that? When did you begin</p> <p>02:21:26 5 performing those services?</p> <p>02:21:27 6 A. 2004.</p> <p>02:21:33 7 Q. Do you know the month?</p> <p>02:21:34 8 A. Summer.</p> <p>02:21:36 9 Q. Do you know if it was the beginning of</p> <p>02:21:40 10 summer or end of summer?</p> <p>02:21:41 11 A. No.</p> <p>02:21:43 12 Q. Do you know how long you performed services</p> <p>02:21:47 13 for NHCS through Ace before your role changed?</p> <p>02:21:52 14 A. Four months, five months.</p> <p>02:21:54 15 Q. And you testified previously that that was</p> <p>02:21:57 16 in the development office; is that right?</p> <p>02:21:58 17 A. The development office? The development</p> <p>02:22:03 18 office.</p> <p>02:22:03 19 Q. That's right, yes?</p> <p>02:22:06 20 A. Yes.</p> <p>02:22:06 21 Q. I just want the record to be clear.</p> <p>02:22:08 22 A. Okay.</p> <p>02:22:08 23 Q. So prior to August of 2004 when you began</p> <p>02:22:15 24 providing services to NHCS through Ace employment</p>	<p>02:23:22 1 position you held before you began providing</p> <p>02:23:26 2 services to NHCS through Ace? And to clarify, by</p> <p>02:23:31 3 "regular employment," I mean a job other than</p> <p>02:23:33 4 through a temporary agency. Do you understand?</p> <p>02:23:35 5 A. I've always worked through temporary</p> <p>02:23:41 6 agencies.</p> <p>02:23:42 7 Q. So you've never had a job other than through</p> <p>02:23:44 8 a temporary agency?</p> <p>02:23:45 9 A. It was a job. That's permanent employment.</p> <p>02:23:47 10 Q. Right. I'm excluding that from my question</p> <p>02:23:50 11 for purposes --</p> <p>02:23:51 12 A. It is.</p> <p>02:23:52 13 Q. I understand. There's no reason to quibble</p> <p>02:23:54 14 about the questions. Other than jobs you've had</p> <p>02:23:56 15 through employment agencies.</p> <p>02:23:57 16 A. I was an employee of a temporary agency.</p> <p>02:24:00 17 Q. And you didn't in that capacity provide</p> <p>02:24:02 18 services to some other company? You provided</p> <p>02:24:07 19 services directly to the employment agency, is that</p> <p>02:24:09 20 what you're telling me?</p> <p>02:24:10 21 A. Okay. I worked for Ace. They send me on</p> <p>02:24:17 22 five or six or seven assignments. And I worked for</p> <p>02:24:20 23 them for three years. I'm an employee of Ace.</p> <p>02:24:24 24 Q. Okay. I don't think we're understanding</p>

51 (Pages 198 to 201)

Janice L. Stevenson

09/07/2006

Page 282	Page 284
<p>04:00:00 1 A. I guess, yeah.</p> <p>04:00:00 2 Q. Skipping over the line, "That's true,</p> <p>04:00:05 3 Janice, but there's a gray area here" --</p> <p>04:00:05 4 A. Yes.</p> <p>04:00:06 5 Q. And it's your testimony under oath here that</p> <p>04:00:08 6 the reason that you did that, the reason you didn't</p> <p>04:00:09 7 include that one line of this 18-line message, was</p> <p>04:00:13 8 that you wanted to emphasize the other 18 lines?</p> <p>04:00:16 9 A. Yes, with emphasis.</p> <p>04:00:21 10 Q. That's not responsive to my question. It is</p> <p>04:00:24 11 a yes or no question. Your testimony under oath is</p> <p>04:00:26 12 the reason that you prepared this exhibit in such a</p> <p>04:00:29 13 way as it excludes one line from an 18-line message</p> <p>04:00:32 14 is that you wanted to emphasize the other 17 lines?</p> <p>04:00:35 15 A. Yes, that's the emphasis of my motion.</p> <p>04:01:01 16 Q. We have determined previously that you</p> <p>04:01:06 17 provided services to NHCS through TuckNT, which</p> <p>04:01:11 18 we've talked about, from a period that began in the</p> <p>04:01:13 19 last week of August 2004, right?</p> <p>04:01:18 20 A. If you say so.</p> <p>04:01:19 21 Q. Is that consistent with your memory?</p> <p>04:01:21 22 A. Right now I don't have a memory. Whatever</p> <p>04:01:22 23 you tell me. I was there for 15 total months, part</p> <p>04:01:24 24 as Ace and part as a common law employee under</p>	<p>04:02:24 1 time that you were performing services for NHCS</p> <p>04:02:26 2 through TuckNT. And we can agree that ran from</p> <p>04:02:30 3 about late August 2004 to very early June 2005; is</p> <p>04:02:34 4 that right?</p> <p>04:02:34 5 A. Yes.</p> <p>04:02:37 6 Q. You've told me previously today that you did</p> <p>04:02:48 7 on occasion provide services to NHCS from your home;</p> <p>04:02:54 8 is that right?</p> <p>04:02:54 9 A. Off site.</p> <p>04:02:56 10 Q. Off site. Where did you perform those</p> <p>04:03:00 11 services?</p> <p>04:03:00 12 A. Probably at community computer centers or</p> <p>04:03:11 13 computer rooms, computer centers that's open to the</p> <p>04:03:14 14 public.</p> <p>04:03:14 15 Q. Okay. Did you have keys to the NHCS</p> <p>04:03:17 16 facility?</p> <p>04:03:17 17 A. I had a key to my office. I don't think I</p> <p>04:03:21 18 had a key to the door. I probably had a key to open</p> <p>04:03:24 19 most of the doors, but you got in with a buzzer.</p> <p>04:03:27 20 Q. So if you wanted to go to the facility on</p> <p>04:03:29 21 the weekends, could you have?</p> <p>04:03:32 22 A. I could have, but I didn't like going up</p> <p>04:03:34 23 there on the weekends.</p> <p>04:03:34 24 Q. And you say you performed services off site,</p>
Page 283	Page 285
<p>04:01:34 1 TuckNT, whatever you want to call it. When it</p> <p>04:01:38 2 started, August, September, what's the difference?</p> <p>04:01:40 3 It started.</p> <p>04:01:42 4 Q. We're not here to quibble about what's</p> <p>04:01:43 5 relevant and what's not. I'm just asking you</p> <p>04:01:45 6 factual questions. Your only job is to answer them.</p> <p>04:01:48 7 So your best memory is that you began</p> <p>04:01:50 8 providing services to NHCS through TuckNT in</p> <p>04:01:55 9 September -- I'm sorry -- in August or September of</p> <p>04:01:58 10 2004; is that right?</p> <p>04:01:58 11 A. Yes.</p> <p>04:01:59 12 Q. And you did that through the month of May</p> <p>04:02:02 13 2005, correct?</p> <p>04:02:03 14 A. June.</p> <p>04:02:04 15 Q. Did you perform services for NHCS during the</p> <p>04:02:08 16 month of June 2005?</p> <p>04:02:09 17 A. June 3rd was my last day.</p> <p>04:02:12 18 Q. June 3rd was your last day?</p> <p>04:02:14 19 A. Yes.</p> <p>04:02:14 20 Q. So you performed services for NHCS three</p> <p>04:02:17 21 days in June?</p> <p>04:02:18 22 A. Yes.</p> <p>04:02:18 23 Q. So the period of concern to the next few</p> <p>04:02:22 24 questions I'm going to ask you is that period of</p>	<p>04:03:38 1 including places where computers are publicly</p> <p>04:03:42 2 available. And previously you asserted the Fifth</p> <p>04:03:45 3 when I asked you whether or not you provided those</p> <p>04:03:47 4 services from your residence; is that right?</p> <p>04:03:49 5 A. Yes.</p> <p>04:03:49 6 Q. And are you still going to decline to answer</p> <p>04:03:51 7 that question?</p> <p>04:03:51 8 A. Yeah.</p> <p>04:03:52 9 Q. And what's the basis of that?</p> <p>04:03:54 10 A. What does it matter?</p> <p>04:03:55 11 Q. So that's -- The sole basis is you believe</p> <p>04:03:58 12 it not to be relevant where you perform the services</p> <p>04:04:01 13 that you now seek to recover money for?</p> <p>04:04:05 14 A. Your client didn't care as long as the work</p> <p>04:04:11 15 got done, and they never questioned it prior to now,</p> <p>04:04:11 16 and they never questioned, Do you have a residence?</p> <p>04:04:14 17 Do you stay in a certain place? Do you have this or</p> <p>04:04:18 18 do you have that? I didn't have to have.</p> <p>04:04:20 19 Q. You didn't file a lawsuit against the</p> <p>04:04:22 20 company at that time.</p> <p>04:04:23 21 A. I didn't have to have my own equipment.</p> <p>04:04:26 22 That's not relevant now. Come on, that's after the</p> <p>04:04:28 23 fact. The work has been done. I've done it.</p> <p>04:04:30 24 Q. You hadn't filed a lawsuit against the</p>

72 (Pages 282 to 285)

Janice L. Stevenson

09/07/2006

Page 286	Page 288
<p>04:04:32 1 company at the time, had you?</p> <p>04:04:33 2 A. (No verbal response)</p> <p>04:04:34 3 Q. You understand that by filing a lawsuit, the</p> <p>04:04:37 4 areas of inquiry that an employer might be</p> <p>04:04:39 5 interested in will expand, right?</p> <p>04:04:41 6 A. Yeah, but, you know, it's difficult to show,</p> <p>04:04:45 7 Hey, she did the work. You didn't question it then.</p> <p>04:04:49 8 You didn't have no stipulations then. You didn't</p> <p>04:04:52 9 have your brilliant attorney then.</p> <p>04:04:54 10 Q. So your refusal to answer my question as to</p> <p>04:04:56 11 whether or not you performed services for NHC --</p> <p>04:05:00 12 A. I did perform those services. I won't be</p> <p>04:05:02 13 called a liar.</p> <p>04:05:03 14 Q. We've made the agreement several times</p> <p>04:05:05 15 you're going to let me get the questions out, and</p> <p>04:05:09 16 I'll let you get your answers out.</p> <p>04:05:12 17 A. These are incendiary.</p> <p>04:05:13 18 Q. What's the word you're trying to use? You</p> <p>04:05:17 19 mean, incendiary?</p> <p>04:05:19 20 A. Yeah, those, too. Both of them. You're</p> <p>04:05:23 21 doing both of them.</p> <p>04:05:24 22 Q. You're still going to refuse to answer my</p> <p>04:05:27 23 question as to whether or not you performed services</p> <p>04:05:32 24 for NHCS from your residence on the grounds that you</p>	<p>04:06:28 1 Q. So we've established that you performed</p> <p>04:06:31 2 certain services for NHCS, as you term it, off site,</p> <p>04:06:36 3 right?</p> <p>04:06:36 4 A. Yes, off site or after hours.</p> <p>04:06:39 5 Q. Well, if you performed work after hours,</p> <p>04:06:41 6 were you doing it at NHCS or off site?</p> <p>04:06:43 7 A. Off site was different than after hours.</p> <p>04:06:46 8 Q. So there were certain times when you</p> <p>04:06:49 9 provided services to NHCS when you were actually</p> <p>04:06:51 10 physically in the school building?</p> <p>04:06:54 11 A. Yes.</p> <p>04:06:54 12 Q. That's what you're calling after hours?</p> <p>04:06:56 13 A. Yes.</p> <p>04:06:56 14 Q. And then there were other times when you</p> <p>04:06:58 15 provided services to the school from some other</p> <p>04:06:59 16 location?</p> <p>04:07:00 17 A. Yes.</p> <p>04:07:00 18 Q. And that's what you're calling off site?</p> <p>04:07:02 19 A. Yes.</p> <p>04:07:02 20 Q. And we've covered the types of work that you</p> <p>04:07:07 21 did when you were off site -- Let me get the</p> <p>04:07:12 22 question out. We've covered the types of work that</p> <p>04:07:14 23 you did, as you term it, off site. And you've</p> <p>04:07:16 24 described to me the payroll-related functions that</p>
Page 287	Page 289
<p>04:05:35 1 believe that to be irrelevant?</p> <p>04:05:37 2 A. I believe that if I was sitting in Starbucks</p> <p>04:05:43 3 or if I went to FedEx Kinkos and I plugged and I</p> <p>04:05:47 4 paid up to get on and I performed services for NHCS,</p> <p>04:05:55 5 they wouldn't have cared.</p> <p>04:05:56 6 Q. That's not at all responsive to what I asked</p> <p>04:05:58 7 you.</p> <p>04:05:59 8 A. They wouldn't have cared where I did the</p> <p>04:06:01 9 work.</p> <p>04:06:02 10 Q. That's not responsive to what I asked you.</p> <p>04:06:03 11 What I asked you was --</p> <p>04:06:05 12 A. I plead the Fifth.</p> <p>04:06:08 13 Q. You still won't answer the question?</p> <p>04:06:10 14 A. That's right.</p> <p>04:06:10 15 Q. And the grounds are you believe it not to be</p> <p>04:06:13 16 relevant?</p> <p>04:06:13 17 A. That's correct.</p> <p>04:06:13 18 Q. I'll represent to you, on behalf of NHCS, I</p> <p>04:06:16 19 certainly do believe it to be relevant. Do you</p> <p>04:06:18 20 understand that?</p> <p>04:06:18 21 A. Yes, sir.</p> <p>04:06:19 22 Q. And you're still going to refuse to answer</p> <p>04:06:21 23 the question; is that right?</p> <p>04:06:23 24 A. Yes, sir.</p>	<p>04:07:19 1 you did via the Internet and you've described to me</p> <p>04:07:22 2 the grant payment applications. Is that the only</p> <p>04:07:27 3 work that you did for NHCS from off site?</p> <p>04:07:29 4 A. It was related to payroll, either time or</p> <p>04:07:33 5 attendance payroll, or grants.</p> <p>04:07:38 6 Q. Okay. And that's all?</p> <p>04:07:40 7 A. Come on, give me a break.</p> <p>04:07:43 8 Q. You need to respond to my question.</p> <p>04:07:45 9 A. Yes, sir, that's all I can remember now.</p> <p>04:07:48 10 Those are the main -- I could not do accounts</p> <p>04:07:51 11 payable off site. It was after hours. I could</p> <p>04:07:55 12 not -- If it was not Internet-based, I couldn't do</p> <p>04:07:58 13 it. If it was something I couldn't electronically</p> <p>04:08:00 14 or physically carry to update, I couldn't do it.</p> <p>04:08:03 15 And accounts payable, accounts</p> <p>04:08:05 16 receivable, were two I had to do on site after</p> <p>04:08:13 17 hours. You know, the other two were some things --</p> <p>04:08:16 18 If it was bad weather and I wanted to go home and I</p> <p>04:08:18 19 knew I could do this later, I did it.</p> <p>04:08:21 20 Q. Did you maintain an office in your residence</p> <p>04:08:27 21 at the time you performed services for NHCS through</p> <p>04:08:30 22 TuckNT?</p> <p>04:08:31 23 A. No. I have no home office.</p> <p>04:08:37 24 Q. Did you have a fax machine in your residence</p>

73 (Pages 286 to 289)

Janice L. Stevenson

09/07/2006

Page 290	Page 292
<p>04:08:44 1 at the time you performed services to TuckNT?</p> <p>04:08:46 2 A. It's like if I send you a fax. You</p> <p>04:08:49 3 subscribe to a software on the Internet. You take a</p> <p>04:08:53 4 document on flash drive or out of my e-mail. It</p> <p>04:09:02 5 posts as a document, and you fax it, and it scans.</p> <p>04:09:07 6 I don't know. Thank God it can do it.</p> <p>04:09:08 7 Q. Your testimony is you didn't need a fax</p> <p>04:09:11 8 machine because you had this service?</p> <p>04:09:16 9 A. Internet software, Internet fax, jFax.</p> <p>04:09:1610 Q. So your testimony is, so it's clear that</p> <p>04:09:2111 you've responded to my question --</p> <p>04:09:2112 A. Yes, sir.</p> <p>04:09:2113 Q. Let me get the question out. Your answer</p> <p>04:09:2314 is, you didn't need a fax machine because you had</p> <p>04:09:2415 this Internet service?</p> <p>04:09:2516 A. Yes, sir.</p> <p>04:09:2617 Q. And did you actually use that to perform</p> <p>04:09:3118 services for NHCS?</p> <p>04:09:3219 A. Yes. See, I don't know if I actually faxed</p> <p>04:09:4220 anything from my fax for NHCS. I can't remember</p> <p>04:09:4521 that specifically.</p> <p>04:09:4522 Q. But you may have?</p> <p>04:09:4623 A. I may have.</p> <p>04:09:4724 Q. Do you know if you received any faxes</p>	<p>04:10:46 1 A. I have. Didn't I just say if I was</p> <p>04:10:50 2 downstairs -- Wait. Community computers.</p> <p>04:10:56 3 Q. You've told me that you used community</p> <p>04:10:58 4 computers. We've established that.</p> <p>04:11:00 5 A. Yes.</p> <p>04:11:00 6 Q. And you've refused to tell me whether or not</p> <p>04:11:02 7 you provided services via the Internet to NHCS from</p> <p>04:11:07 8 your residence, but you haven't told me whether or</p> <p>04:11:09 9 not you maintained a computer in your residence</p> <p>04:11:12 10 during the period of time from August 2004 to June</p> <p>04:11:15 11 2005. So I'll ask you now, did you maintain a</p> <p>04:11:19 12 computer in your residence between August 2004 and</p> <p>04:11:23 13 June 2005?</p> <p>04:11:24 14 A. (No verbal response)</p> <p>04:11:30 15 Q. Do you understand the question?</p> <p>04:11:31 16 A. Fifth.</p> <p>04:11:32 17 Q. You're going to plead the Fifth as to</p> <p>04:11:34 18 whether you possessed a computer?</p> <p>04:11:36 19 A. As long as you leave me alone.</p> <p>04:11:37 20 Q. I'm not going to leave you alone.</p> <p>04:11:39 21 A. I will Fifth the rest of the deposition.</p> <p>04:11:41 22 Q. Okay. As you've pointed out, there's</p> <p>04:11:44 23 nothing I can do to compel you to respond. All I</p> <p>04:11:47 24 can do is ask you whether you will. You've told me</p>
Page 291	Page 293
<p>04:09:49 1 through your Internet fax accounts that related to</p> <p>04:09:53 2 services you performed for NHCS?</p> <p>04:09:55 3 A. No, because I'm going to have to</p> <p>04:09:57 4 specifically give that number. All the numbers I</p> <p>04:10:00 5 gave out were school numbers.</p> <p>04:10:01 6 Q. And I asked you earlier whether you</p> <p>04:10:08 7 maintained a computer in your home during the period</p> <p>04:10:10 8 of time that you provided services to NHCS, and your</p> <p>04:10:13 9 testimony at that point was that you didn't</p> <p>04:10:1510 remember. Do you still not remember whether or not</p> <p>04:10:1711 you --</p> <p>04:10:1712 A. I don't maintain them. If they're</p> <p>04:10:1913 downstairs in a computer room, I don't maintain</p> <p>04:10:2414 them. It's not mine.</p> <p>04:10:2615 Q. You didn't possess a computer during the</p> <p>04:10:2816 period of time that you provided services to NHCS;</p> <p>04:10:3217 is that right? Is that your testimony?</p> <p>04:10:3318 A. (No verbal response)</p> <p>04:10:3719 Q. Do you understand the question?</p> <p>04:10:3720 A. I have because you've asked it several</p> <p>04:10:4021 times.</p> <p>04:10:4122 Q. Well, you haven't answered it yet.</p> <p>04:10:4223 A. Not the way you want me to.</p> <p>04:10:4424 Q. You haven't answered it yet at all.</p>	<p>04:11:50 1 you're not going to answer that question.</p> <p>04:11:52 2 Did you maintain a copy machine in your</p> <p>04:11:55 3 residence at the time you performed services?</p> <p>04:11:57 4 A. Oh, my God. No.</p> <p>04:11:58 5 Q. Did you have a printer in your residence?</p> <p>04:12:00 6 A. No.</p> <p>04:12:01 7 Q. Let me get that whole question out so the</p> <p>04:12:04 8 record is clear.</p> <p>04:12:04 9 A. Yes.</p> <p>04:12:0510 Q. Did you maintain a printer in your residence</p> <p>04:12:0711 during the period of time that you performed</p> <p>04:12:0912 services for NHCS?</p> <p>04:12:1013 A. No. I wish I had a printer today because --</p> <p>04:12:1214 You know what I have to do to go to a printer? I</p> <p>04:12:1515 have to walk over to a computer and print it or I</p> <p>04:12:1916 have to go to FedEx Kinkos and print it. I need a</p> <p>04:12:2317 printer. I need some icky dicky printer.</p> <p>04:12:2918 Q. Just for your personal purposes?</p> <p>04:12:3019 A. For my personal purposes. For this lawsuit</p> <p>04:12:3220 purpose.</p> <p>04:12:3321 Q. Okay. Go ahead.</p> <p>04:12:3722 A. I need to ask you a question.</p> <p>04:12:4123 Q. You've tried that several times, and I've</p> <p>04:12:4324 told you that I'm not here to respond to your</p>

74 (Pages 290 to 293)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 408

VOLUME: II

PAGES: 408 to 786

EXHIBITS: See Index

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

----- x

JANICE STEVENSON

Plaintiff

Civil Action

v.

No. 05-CV-11584-DPW

NEIGHBORHOOD HOUSE CHARTER SCHOOL

Defendant

----- x

CONTINUED DEPOSITION of JANICE L. STEVENSON

Thursday, September 14, 2006

10:37 a.m.

Seyfarth Shaw LLP

Two Seaport Lane

Boston, Massachusetts

Michelle Keegan, Court Reporter

Janice L. Stevenson, Vol. 2

09/14/2006

Page 441	Page 443
<p>11:11:14 1 whatever objections you want -- Do you remember that</p> <p>11:11:16 2 we marked a copy of Rule 30?</p> <p>11:11:17 3 A. Uh-hmm.</p> <p>11:11:18 4 Q. And that your testimony is to be taken</p> <p>11:11:20 5 subject to those objections, correct?</p> <p>11:11:21 6 A. Uh-hmm.</p> <p>11:11:22 7 Q. You understand that to be the rule?</p> <p>11:11:23 8 A. Uh-hmm.</p> <p>11:11:24 9 Q. And you understand that you have no basis to</p> <p>11:11:26 10 withhold testimony on these points?</p> <p>11:11:27 11 A. My basis is, I'm not going to answer.</p> <p>11:11:29 12 Q. That's not a basis. That's your intention.</p> <p>11:11:33 13 A. My intention. I'm not going to answer.</p> <p>11:11:35 14 It's not my intention. I'm not going to answer</p> <p>11:11:37 15 bankruptcy questions on an overtime wage claim.</p> <p>11:11:40 16 Q. What's the basis for that?</p> <p>11:11:41 17 A. Because I don't think they even have</p> <p>11:11:42 18 anything to do with one another.</p> <p>11:11:44 19 Q. It's not for you to decide.</p> <p>11:11:46 20 A. It is for me to decide. I'm sitting here.</p> <p>11:11:48 21 Q. The record will reflect that you are</p> <p>11:11:49 22 refusing to answer questions related to your</p> <p>11:11:51 23 bankruptcy.</p> <p>11:11:52 24 A. Good. We can move on to another subject.</p>	<p>11:12:56 1 document, in fact, represents another bankruptcy</p> <p>11:12:58 2 filing that you filed in the state of Louisiana; is</p> <p>11:13:01 3 that correct?</p> <p>11:13:01 4 A. I'm not answering any questions on</p> <p>11:13:09 5 bankruptcy.</p> <p>11:13:10 6 Q. You're refusing to answer my question on</p> <p>11:13:13 7 whether you filed for bankruptcy in the state of</p> <p>11:13:15 8 Louisiana?</p> <p>11:13:15 9 A. No more bankruptcies.</p> <p>11:13:17 10 Q. So you're refusing to answer my questions?</p> <p>11:13:19 11 A. No more questions on bankruptcy. Let's move</p> <p>11:13:21 12 on to my claim against your client.</p> <p>11:13:23 13 Q. Absolutely not, Ms. Stevenson. I'm not</p> <p>11:13:25 14 going to let you control the scope of this</p> <p>11:13:26 15 deposition.</p> <p>11:13:26 16 A. You know what, I assumed this deposition was</p> <p>11:13:29 17 to establish -- You're claiming I'm exempt. I'm</p> <p>11:13:34 18 saying I'm not exempt. You haven't asked me one</p> <p>11:13:37 19 question about that claim.</p> <p>11:13:38 20 Q. The questions I ask are mine to choose.</p> <p>11:13:41 21 A. No.</p> <p>11:13:42 22 Q. Yes, Ms. Stevenson.</p> <p>11:13:45 23 A. They're in regard to a wage claim. You're</p> <p>11:13:47 24 not going to sit here in a deposition -- And I don't</p>
Page 442	Page 444
<p>11:11:54 1 Q. I'll decide what subjects we're going to</p> <p>11:11:56 2 cover. The record will reflect --</p> <p>11:11:57 3 A. Of course I understand that.</p> <p>11:11:58 4 Q. You're refusing to answer questions about</p> <p>11:12:00 5 your bankruptcy?</p> <p>11:12:00 6 A. Yes.</p> <p>11:12:01 7 Q. On what basis?</p> <p>11:12:02 8 A. Because I'm not going to answer something</p> <p>11:12:03 9 that has to do with you not paying me my money.</p> <p>11:12:07 10 By the way, where is my money for my</p> <p>11:12:09 11 vacation wages?</p> <p>11:12:10 12 MR. MILLER: Will you mark that as the</p> <p>11:12:12 13 next in order, please.</p> <p>11:12:14 14 (Exhibit Number 18</p> <p>11:12:14 15 marked for identification)</p> <p>11:12:36 16 Q. Ms. Stevenson, I'm showing you a document</p> <p>11:12:38 17 marked as Exhibit 18. Do you recognize that?</p> <p>11:12:40 18 A. Is this more bankruptcy?</p> <p>11:12:47 19 Q. I'm asking you if you recognize the</p> <p>11:12:49 20 document, Ms. Stevenson.</p> <p>11:12:49 21 A. I'm not answering anything else on</p> <p>11:12:51 22 bankruptcy. Come on.</p> <p>11:12:52 23 Q. You testified that you filed only one</p> <p>11:12:54 24 bankruptcy filing. I'll represent to you that this</p>	<p>11:13:47 1 think you have a question in regard to that.</p> <p>11:13:50 2 Q. Ms. Stevenson, I'm going to ask the</p> <p>11:13:51 3 questions.</p> <p>11:13:51 4 A. I don't think you have anything in regard to</p> <p>11:13:53 5 the claim I have for the court.</p> <p>11:13:57 6 Q. What you think is irrelevant. Your job here</p> <p>11:14:00 7 is to answer my questions.</p> <p>11:14:02 8 A. If it's not in regard to my wage claim in</p> <p>11:14:05 9 front of the court, don't ask me another question.</p> <p>11:14:07 10 Q. Don't tell me what questions to ask you.</p> <p>11:14:09 11 A. Don't ask me another question.</p> <p>11:14:12 12 Q. Have you reported the pendency of this case,</p> <p>11:14:14 13 your claim against NHCS, to the bankruptcy trustee</p> <p>11:14:17 14 in the case that we've marked as Exhibit 14?</p> <p>11:14:19 15 A. (No verbal response)</p> <p>11:14:23 16 Q. Do you understand the question?</p> <p>11:14:24 17 A. (No verbal response)</p> <p>11:14:32 18 Q. Do you understand the question,</p> <p>11:14:33 19 Ms. Stevenson?</p> <p>11:14:34 20 A. (No verbal response)</p> <p>11:14:37 21 Q. I'll repeat it. Have you reported the</p> <p>11:14:39 22 pendency of this claim against NHCS to the</p> <p>11:14:41 23 bankruptcy trustee in the open case you have in the</p> <p>11:14:42 24 bankruptcy court for Massachusetts?</p>

10 (Pages 441 to 444)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 445	Page 447
<p>11:14:45 1 A. (No verbal response)</p> <p>11:14:48 2 Q. Do you understand the question?</p> <p>11:14:48 3 A. (No verbal response)</p> <p>11:14:53 4 Q. Are you going to refuse to answer that</p> <p>11:14:55 5 question?</p> <p>11:14:58 6 MR. MILLER: For the record,</p> <p>11:14:59 7 Ms. Stevenson has not given a verbal response.</p> <p>11:15:03 8 Q. Have you reported to the bankruptcy trustee</p> <p>11:15:06 9 in your Massachusetts bankruptcy case your claim</p> <p>11:15:12 10 that Neighborhood House Charter School owes you</p> <p>11:15:14 11 overtime wages?</p> <p>11:15:15 12 A. (No verbal response)</p> <p>11:15:21 13 Q. Do you understand that question?</p> <p>11:15:24 14 A. (No verbal response)</p> <p>11:15:31 15 Q. For the record, you've given no verbal</p> <p>11:15:32 16 response, so I'll repeat the question. Have you</p> <p>11:15:34 17 reported your claim that you are owed overtime wages</p> <p>11:15:37 18 by Neighborhood House Charter School to the</p> <p>11:15:40 19 Massachusetts bankruptcy court or to the trustee in</p> <p>11:15:43 20 that proceeding?</p> <p>11:15:44 21 A. (No verbal response)</p> <p>11:15:50 22 MR. MILLER: For the record,</p> <p>11:15:50 23 Ms. Stevenson has not responded and has elected to</p> <p>11:15:54 24 play with the flashlight and magnifying glass that</p>	<p>11:17:20 1 debtor in an open bankruptcy proceeding, you have an</p> <p>11:17:22 2 obligation to report to the court and to the</p> <p>11:17:24 3 bankruptcy trustee any property to which you become</p> <p>11:17:28 4 entitled during the pendency of the case?</p> <p>11:17:30 5 A. (No verbal response)</p> <p>11:17:36 6 Q. Do you understand the question?</p> <p>11:17:36 7 A. (No verbal response)</p> <p>11:17:43 8 Q. Ms. Stevenson, may I have the magnifying</p> <p>11:17:46 9 glass, please.</p> <p>11:17:50 10 Do you understand the question I asked</p> <p>11:17:51 11 you?</p> <p>11:17:51 12 A. (No verbal response)</p> <p>11:17:56 13 Q. For the record, you gave me the magnifying</p> <p>11:17:58 14 glass back, so I assume you can hear me; is that</p> <p>11:18:02 15 correct?</p> <p>11:18:02 16 A. (No verbal response)</p> <p>11:18:06 17 Q. Are you going to refuse to participate in</p> <p>11:18:07 18 this deposition?</p> <p>11:18:08 19 A. (No verbal response)</p> <p>11:18:12 20 Q. Do you understand the question?</p> <p>11:18:12 21 A. (No verbal response)</p> <p>11:18:19 22 Q. Are you going to refuse to participate in</p> <p>11:18:20 23 this deposition?</p> <p>11:18:21 24 A. (No verbal response)</p>
Page 446	Page 448
<p>11:15:56 1 I've given her instead.</p> <p>11:16:01 2 Q. Ms. Stevenson, last time, for the first</p> <p>11:16:03 3 session of your deposition, you'll recall we</p> <p>11:16:06 4 discussed another wage claim that you asserted</p> <p>11:16:09 5 against Massport; is that correct?</p> <p>11:16:11 6 A. (No verbal response)</p> <p>11:16:16 7 Q. Do you understand the question,</p> <p>11:16:16 8 Ms. Stevenson?</p> <p>11:16:17 9 A. (No verbal response)</p> <p>11:16:32 10 MR. MILLER: For the record,</p> <p>11:16:33 11 Ms. Stevenson has given no verbal response, so I'll</p> <p>11:16:36 12 repeat the question.</p> <p>11:16:37 13 Q. During the first session of your deposition</p> <p>11:16:39 14 we discussed a wage claim that you asserted against</p> <p>11:16:41 15 Massport. Do you recall that?</p> <p>11:16:42 16 A. (No verbal response)</p> <p>11:16:47 17 Q. Do you understand the question?</p> <p>11:16:48 18 A. (No verbal response)</p> <p>11:16:58 19 MR. MILLER: For the record,</p> <p>11:16:59 20 Ms. Stevenson has continued not to give a verbal</p> <p>11:17:01 21 response and has elected to play with the flashlight</p> <p>11:17:05 22 and magnifying glass that I've made available to her</p> <p>11:17:08 23 to review the exhibits.</p> <p>11:17:16 24 Q. Do you understand, Ms. Stevenson, that as a</p>	<p>11:18:28 1 MR. MILLER: For the record,</p> <p>11:18:28 2 Ms. Stevenson has not responded to the question.</p> <p>11:18:37 3 Q. Ms. Stevenson, we certainly intend to go to</p> <p>11:18:39 4 the court and seek relief for your failure and</p> <p>11:18:41 5 refusal to participate in this deposition.</p> <p>11:18:44 6 I understand that you've stated your</p> <p>11:18:46 7 refusal to answer questions that are in any way</p> <p>11:18:48 8 connected to your bankruptcy, apparently even when</p> <p>11:18:51 9 those questions also relate to your claims against</p> <p>11:18:53 10 NHCS; is that correct?</p> <p>11:18:54 11 A. (No verbal response)</p> <p>11:18:58 12 Q. Do you understand the question?</p> <p>11:18:58 13 A. (No verbal response)</p> <p>11:19:02 14 MR. MILLER: For the record,</p> <p>11:19:03 15 Ms. Stevenson has given no verbal response.</p> <p>11:19:31 16 Can we mark that as 19, please.</p> <p>11:19:34 17 (Exhibit Number 19</p> <p>11:19:34 18 marked for identification)</p> <p>11:19:34 19 Q. Ms. Stevenson, I'm now showing you a</p> <p>11:19:36 20 document marked as Exhibit 19. For your</p> <p>11:19:39 21 convenience, I'll give the magnifying glass back to</p> <p>11:19:41 22 you.</p> <p>11:19:41 23 A. Is it in regards to the bankruptcy?</p> <p>11:19:43 24 Q. Would you read the document. I provided you</p>

11 (Pages 445 to 448)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 449	Page 451
<p>11:19:47 1 the magnifying glass. I'd invite you to look at it 11:19:51 2 and identify it for me, please. 11:20:09 3 Can you identify that document? 11:20:10 4 A. No. What is it? 11:20:14 5 Q. Does that document refresh your memory as to 11:20:16 6 any other legal proceeding as to which you may have 11:20:18 7 been a party? 11:20:19 8 A. (No verbal response) 11:20:27 9 Q. Did you understand the question? 11:20:30 10 A. (No verbal response) 11:20:41 11 Q. Do you need more time? 11:20:42 12 A. (No verbal response) 11:20:44 13 Q. I didn't ask you for the document back. My 11:20:47 14 question is -- 11:20:48 15 A. I have no idea. 11:20:48 16 Q. That document does not refresh your 11:20:50 17 recollection as another proceeding -- 11:20:52 18 A. No, no, no. 11:20:53 19 Q. Well, I'll point out to you that at the top 11:20:55 20 it states "Janice Wilson Stevenson v. Commissioner 11:20:58 21 of International Revenue." Do you see that? 11:21:00 22 A. No. 11:21:00 23 Q. Will you look at the document, please. 11:21:02 24 A. No.</p>	<p>11:21:54 1 A. You're not going to get anywhere. 11:21:56 2 Q. You're refusing to answer questions relating 11:21:58 3 to this document? 11:21:59 4 A. No. It's not with the court. 11:22:03 5 Q. I can -- 11:22:05 6 A. You can file what you want with the court. 11:22:06 7 You can expand your defense. 11:22:08 8 Q. Don't interrupt me, please. 11:22:10 9 A. I'm not answering. 11:22:10 10 Q. You're not answering -- Strike that. 11:22:13 11 You're not answering questions related 11:22:15 12 to this document? 11:22:15 13 A. I'm not answering questions related to 11:22:18 14 bankruptcies not in front of the court. 11:22:19 15 Q. This is not a bankruptcy case. I'm asking 11:22:21 16 you a question. 11:22:22 17 A. I saw the word "bankruptcy" on it. 11:22:24 18 Q. Show me where you see the word "bankruptcy." 11:22:27 19 A. On one of the pages. 11:22:28 20 Q. Show me. 11:22:28 21 (Pause) 11:22:53 22 A. It was on one of the pages. 11:22:54 23 Q. I invite you to take as much time as you 11:22:56 24 need and show me.</p>
Page 450	Page 452
<p>11:21:02 1 Q. You're refusing to look at the document I've 11:21:06 2 marked? 11:21:06 3 A. It doesn't refresh any memories. 11:21:09 4 Q. I'm asking you what the document says. Do 11:21:12 5 you see that the document says -- 11:21:12 6 A. No, because I cannot see it. 11:21:12 7 Q. I've provided you with the magnifying glass. 11:21:16 8 You told me before that that aided you as well as 11:21:19 9 you can see with the glasses. I'm asking you to 11:21:21 10 look at the document -- 11:21:22 11 A. I'm not going to look at it. 11:21:23 12 Q. You're refusing to look at the document? 11:21:25 13 A. I'm not going to answer questions that don't 11:21:28 14 specifically relate to my duties at NHCS in order to 11:21:32 15 establish whether I was exempt or nonexempt. That's 11:21:36 16 what we need to move on to. 11:21:37 17 Q. You're refusing to look at this document? 11:21:39 18 A. Your firm is saying I was exempt. You need 11:21:43 19 to ask me questions -- You need to ask me questions 11:21:47 20 in regard to that. Let's move on. 11:21:49 21 Q. Ms. Stevenson, the scope of this deposition 11:21:51 22 is not within your control. 11:21:52 23 A. Let's move on. 11:21:53 24 Q. I will not move on.</p>	<p>11:23:15 1 A. I don't see it now, but I saw it. 11:23:18 2 Q. So you're now telling me that you don't see 11:23:20 3 the word "bankruptcy" in Exhibit 19; is that right? 11:23:22 4 A. I saw it. I don't see it now. 11:23:25 5 Q. Well, you've taken time to review it, and 11:23:27 6 you can't find the word "bankruptcy" in that 11:23:29 7 document; is that right? 11:23:30 8 A. Yeah. It was on one of the pages. 11:23:34 9 Q. Show me. If you believe it's in there, you 11:23:36 10 show me. 11:23:37 11 A. It is in there. That's why you handed it to 11:23:40 12 me. 11:23:40 13 Q. It's not your job to guess as to why I'm 11:23:44 14 going to hand you a document. Your job is only to 11:23:46 15 respond to the questions I ask you. 11:23:47 16 A. Here it is, "Docket entry." 11:23:56 17 Q. And I'm asking you where, in fact, you see 11:24:00 18 the word "bankruptcy." 11:24:01 19 A. What does it say? February -- 2/10 of 2003. 11:24:09 20 Don't you see the word "bankruptcy" in there? Do 11:24:11 21 you need this? 11:24:12 22 Q. I do not see the word "bankruptcy" up there. 11:24:14 23 Will you show it to me, please. 11:24:26 24 A. Right there.</p>

12 (Pages 449 to 452)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 457	Page 459
<p>11:27:23 1 Q. I'll ask you the questions that I see fit.</p> <p>11:27:25 2 A. No. I just told you, don't waste your time.</p> <p>11:27:27 3 Q. Ms. Stevenson, you're the one that's wasting</p> <p>11:27:30 4 everyone's time by making these speeches. If you</p> <p>11:27:32 5 just respond to the questions in a fair and</p> <p>11:27:34 6 substantive way, we'll get --</p> <p>11:27:36 7 A. I thought that was fair and substantive.</p> <p>11:27:38 8 Q. That wasn't even responsive.</p> <p>11:27:39 9 A. There's a block of questions you have in</p> <p>11:27:41 10 regard to this. I don't remember it. You can slash</p> <p>11:27:44 11 through it because I can't give you specific</p> <p>11:27:46 12 answers.</p> <p>11:27:46 13 Q. You need to let me ask the questions one at</p> <p>11:27:49 14 a time and respond one at a time. You don't know</p> <p>11:27:51 15 what I'm about to ask you.</p> <p>11:27:53 16 So the record is clear, you have no</p> <p>11:27:55 17 memory of any proceedings involving the IRS or the</p> <p>11:27:58 18 commissioner of revenue; is that right?</p> <p>11:27:59 19 A. I don't remember the specifics.</p> <p>11:28:01 20 Q. I'm not asking you the specifics. Do you</p> <p>11:28:04 21 remember anything about --</p> <p>11:28:04 22 A. No.</p> <p>11:28:05 23 Q. You remember absolutely nothing about</p> <p>11:28:06 24 litigation with the IRS or --</p>	<p>11:29:07 1 Q. I'm showing you a document that's marked as</p> <p>11:29:09 2 Exhibit 20.</p> <p>11:29:10 3 A. What is this?</p> <p>11:29:11 4 Q. Ms. Stevenson, I'll ask the questions.</p> <p>11:29:13 5 Please take a look at that document.</p> <p>11:29:15 6 A. Does it relate to --</p> <p>11:29:16 7 Q. Ms. Stevenson, please take a look at the</p> <p>11:29:18 8 document.</p> <p>11:29:21 9 A. Does it relate to the wage claim?</p> <p>11:29:23 10 Q. I'm not going to answer your questions.</p> <p>11:29:25 11 It's not my job to answer questions here. Please</p> <p>11:29:27 12 look at the document.</p> <p>11:29:28 13 A. No.</p> <p>11:29:28 14 Q. You're refusing to answer the questions?</p> <p>11:29:30 15 A. Does it relate to the claim?</p> <p>11:29:32 16 Q. The best way to figure that out would be for</p> <p>11:29:34 17 you to look at it.</p> <p>11:29:35 18 A. What is it?</p> <p>11:29:36 19 Q. Look at it. I'm asking you what it is.</p> <p>11:29:38 20 A. You gave it to me.</p> <p>11:29:39 21 Q. Exactly. I'm asking you to identify it.</p> <p>11:29:41 22 A. I have no idea what it is.</p> <p>11:29:42 23 Q. You haven't looked at the document; is that</p> <p>11:29:44 24 correct, Ms. Stevenson?</p>
Page 458	Page 460
<p>11:28:08 1 A. No. Do you remember a lawsuit you was in</p> <p>11:28:12 2 five years ago, the specifics of it?</p> <p>11:28:14 3 Q. Ms. Stevenson, your job is not to ask me</p> <p>11:28:16 4 questions here.</p> <p>11:28:17 5 A. Well, you're not going to unfairly present</p> <p>11:28:19 6 to me -- represent that I remember everything I've</p> <p>11:28:23 7 done.</p> <p>11:28:23 8 Q. I'm making no representations about you.</p> <p>11:28:25 9 A. Yes, you are.</p> <p>11:28:26 10 Q. I'm asking you questions. That's all I'm</p> <p>11:28:28 11 doing.</p> <p>11:28:28 12 A. And you're representing that I remember all</p> <p>11:28:30 13 this stuff that you've gone and downloaded.</p> <p>11:28:33 14 Q. I'm making no representations about your</p> <p>11:28:35 15 memory. I'm trying to ask you questions and have</p> <p>11:28:38 16 you tell me what you remember.</p> <p>11:28:39 17 A. I just told you, I don't remember specifics.</p> <p>11:28:40 18 Q. Understood. Let's move on.</p> <p>11:28:43 19 MR. MILLER: Can you mark that as the</p> <p>11:28:44 20 next in order, please.</p> <p>11:29:03 21 (Exhibit Number 20</p> <p>11:29:03 22 marked for identification)</p> <p>11:29:04 23 Q. When is our trial date; do you know?</p> <p>11:29:06 24 A. We don't have one.</p>	<p>11:29:44 1 A. No, I haven't, because I came here with the</p> <p>11:29:47 2 intent of answering what did you do and what duties</p> <p>11:29:49 3 did you do and your client says you did this, about</p> <p>11:29:52 4 wages.</p> <p>11:29:53 5 Q. Your intent is irrelevant. I ask the</p> <p>11:29:55 6 questions.</p> <p>11:29:55 7 A. My intent -- I filed the claim in court.</p> <p>11:29:58 8 Q. Exactly. You can take whatever discovery</p> <p>11:30:00 9 you want. I'll take whatever discovery I deem</p> <p>11:30:04 10 necessary to defend the school. I will determine</p> <p>11:30:05 11 the scope of this deposition.</p> <p>11:30:07 12 I've marked a document as Exhibit 20.</p> <p>11:30:09 13 I'm asking you to take a look at it.</p> <p>11:30:11 14 A. You have interfered with my employment.</p> <p>11:30:13 15 Q. What do you mean by that?</p> <p>11:30:14 16 A. Because this is a waste of my time. I don't</p> <p>11:30:16 17 get paid sitting in front of you for you to ask me</p> <p>11:30:21 18 lamebrain questions.</p> <p>11:30:23 19 Q. You filed a lawsuit. As a plaintiff in a</p> <p>11:30:26 20 lawsuit, you take on certain obligations. Those</p> <p>11:30:30 21 obligations include responding to discovery. Do you</p> <p>11:30:30 22 understand that?</p> <p>11:30:30 23 A. I don't think I have to.</p> <p>11:30:30 24 Q. You don't think you have to respond to</p>

14 (Pages 457 to 460)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 461

11:30:32 1 discovery?
 11:30:32 2 A. I don't think I have to file discovery that
 11:30:34 3 has no bearing in front of a jury as to my wages.
 11:30:38 4 Q. Ms. Stevenson, you're refusing even to look
 11:30:40 5 at the document; is that right?
 11:30:41 6 A. Because I don't know what it is and you
 11:30:43 7 don't know what it is. If you don't know and I
 11:30:45 8 don't know, two people in the room don't know.
 11:30:46 9 Q. You haven't looked at it. How do you know
 11:30:48 10 you don't know what it is?
 11:30:49 11 A. You need to tell me what it says.
 11:30:50 12 Q. Ms. Stevenson, I'm not going to make
 11:30:52 13 representations to you on the record.
 11:30:54 14 A. I'll tell you representations. You just
 11:30:56 15 read it.
 11:30:57 16 Q. Your job is to read it. You're the witness
 11:31:00 17 here.
 11:31:00 18 A. No.
 11:31:00 19 Q. You're not the witness; is that your
 11:31:02 20 understanding?
 11:31:02 21 A. You read it to me. It's your document.
 11:31:07 22 Q. I'm setting in front of you a document
 11:31:08 23 marked as Exhibit 20. I'll represent to you that
 11:31:08 24 it's a report of a case captioned "Janice W.

Page 462

11:31:11 1 Stevenson v. United States of America and Paul
 11:31:14 2 Brown, U.S. District Judge." Do you see that?
 11:31:16 3 A. No.
 11:31:17 4 Q. Will you look at the document?
 11:31:18 5 A. (No verbal response)
 11:31:23 6 Q. I've asked you to look at the document and
 11:31:25 7 I've provided you a magnifying glass for that
 11:31:28 8 purpose.
 11:31:28 9 A. Okay. I looked at the document. I'm not
 11:31:31 10 going to read any of the specifics.
 11:31:32 11 Q. It's a one-page document, Ms. Stevenson. Do
 11:31:36 12 you see that it's captioned "Janice W. Stevenson v.
 11:31:38 13 United States of America"?
 11:31:39 14 A. Okay. What does that mean?
 11:31:40 15 Q. It's not your job to ask me questions. Your
 11:31:43 16 job is to answer my questions. Do you see that the
 11:31:45 17 document is captioned Janice W. --
 11:31:47 18 A. I haven't seen it. I haven't read it. And
 11:31:49 19 I'm not particularly interested in reading it.
 11:31:51 20 Q. Your interest is not relevant. Your job is
 11:31:53 21 to answer my questions.
 11:31:54 22 A. I'm not going to read it.
 11:31:56 23 Q. You're refusing to --
 11:31:57 24 A. Whatever it is, I have no specific memory of

Page 463

11:31:59 1 it. And reading it ain't going to bring it to
 11:32:02 2 memory.
 11:32:02 3 Q. I haven't asked you anything about your
 11:32:04 4 memory yet. I'm asking you to look at the document.
 11:32:06 5 A. You asked me about the tax thing. You know
 11:32:08 6 what, I don't remember these.
 11:32:09 7 Q. You don't even know what it is. You won't
 11:32:10 8 even look at the document.
 11:32:11 9 A. I can't remember what I don't know.
 11:32:13 10 Q. Ms. Stevenson, please look at the document.
 11:32:15 11 A. No, I'm not.
 11:32:16 12 Q. You're going to refuse to look at the
 11:32:18 13 document?
 11:32:18 14 A. Move on. What's the next thing you're going
 11:32:19 15 to show me?
 11:32:20 16 Q. I'm not going to allow you to control the
 11:32:23 17 scope of this deposition.
 11:32:24 18 A. I'm not answering if it's not about my
 11:32:26 19 money.
 11:32:26 20 Q. Ms. Stevenson, do you recall --
 11:32:28 21 A. Did you hear me?
 11:32:29 22 Q. Ms. Stevenson --
 11:32:30 23 A. Did you hear me?
 11:32:30 24 Q. I heard you. For the record, you've stated

Page 464

11:32:33 1 you're going to refuse to answer questions about
 11:32:35 2 this document, right?
 11:32:37 3 A. Unless it is regarding my money.
 11:32:39 4 Q. Within your opinion.
 11:32:40 5 A. My money.
 11:32:41 6 Q. You're not going to answer if in your
 11:32:43 7 opinion the question I ask you --
 11:32:45 8 A. If it doesn't help resolve the issue of my
 11:32:49 9 money.
 11:32:49 10 Q. In your opinion.
 11:32:50 11 A. My money.
 11:32:51 12 Q. What you're telling me is if I ask you a
 11:32:53 13 question and in your opinion it does not relate to
 11:32:55 14 your claim for wages, you're not going to answer it?
 11:32:57 15 A. Ask me questions that relates to a claim
 11:33:00 16 about my money.
 11:33:01 17 Q. That's not responsive to what I just asked
 11:33:03 18 you. I'm asking your position here. You're
 11:33:05 19 refusing to answer questions. You're being
 11:33:07 20 extremely stubborn.
 11:33:08 21 Now, I'm asking you, are you going to
 11:33:09 22 refuse to answer questions that you deem to be --
 11:33:12 23 A. I want to resolve this case. Ask me
 11:33:14 24 questions about my money.

15 (Pages 461 to 464)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 465	Page 467
<p>11:33:15 1 Q. Ms. Stevenson, are you going to refuse to 11:33:17 2 answer questions? 11:33:19 3 A. Ask me questions about -- 11:33:21 4 Q. You will not -- 11:33:22 5 A. Ask me questions about my time at 11:33:24 6 Neighborhood House Charter School. 11:33:25 7 Q. Ms. Stevenson, you will not tell me what 11:33:28 8 questions to ask. I will ask the questions that I 11:33:30 9 deem relevant. 11:33:31 10 A. I want to resolve. 11:33:32 11 Q. You're here to -- 11:33:33 12 A. No. I want to resolve this case and move 11:33:35 13 on. 11:33:35 14 Q. What you want is not material. You're here 11:33:38 15 to respond as a party in litigation to a valid 11:33:40 16 discovery request. 11:33:41 17 A. Seyfarth Shaw doesn't want to resolve this 11:33:44 18 case. You just want to fight. That's what you want 11:33:46 19 to do. 11:33:47 20 Q. Are you done making speeches? 11:33:48 21 A. It's not a speech. 11:33:49 22 Q. What is it? 11:33:50 23 A. Observation. That's what the last attorney 11:33:52 24 said.</p>	<p>11:34:40 1 A. I'm not answering that question. And the 11:34:42 2 Fourteenth and the Seventh and the Ninth. 11:34:44 3 Q. What question are you refusing to answer? 11:34:46 4 A. Nonwage-related questions. 11:34:48 5 Q. Well, if you're going to assert an 11:34:51 6 objection, you need to assert it to a specific 11:34:53 7 question. 11:34:53 8 A. End, end, end. 11:34:56 9 Q. So for the record, you're going to refuse to 11:34:58 10 answer questions about a document marked as Exhibit 11:35:00 11 20; is that right? 11:35:00 12 A. How can I answer questions if I don't 11:35:04 13 remember it? 11:35:06 14 Q. I'm inviting you to take a look at the 11:35:08 15 document. 11:35:09 16 A. You want me to read it to you? 11:35:10 17 Q. I'm asking you to look at it and read it to 11:35:13 18 yourself. 11:35:13 19 A. If I'm looking at a document and I can't 11:35:16 20 recall it, what -- 11:35:17 21 Q. Because I asked you to read it. That's your 11:35:19 22 obligation as a witness. 11:35:20 23 A. I'm not going to read it. 11:35:21 24 Q. I've asked you to read a one-page document,</p>
Page 466	Page 468
<p>11:33:52 1 Q. That's -- 11:33:53 2 A. That's your reputation. So if you just want 11:33:56 3 to fight this out, don't bring me in here and waste 11:34:00 4 my time. I've lost a job behind you. You're 11:34:03 5 interfering with my employment relationships. I'm 11:34:05 6 going to sue you. 11:34:06 7 Q. Ms. Stevenson, you understand that I've 11:34:08 8 marked as Exhibit 20 a document? 11:34:13 9 A. I don't think this deposition is going 11:34:13 10 anywhere. 11:34:15 11 Q. Ms. Stevenson, the reason it's not going 11:34:15 12 anywhere is because you refuse to answer my 11:34:18 13 questions. 11:34:18 14 A. Your questions that have nothing to do with 11:34:19 15 my claim. 11:34:20 16 Q. You understand that as a party to litigation 11:34:22 17 you have to respond to my questions. That's your 11:34:24 18 obligation. Do you understand that? 11:34:25 19 A. I'm taking the Fifth. 11:34:29 20 Q. You're taking the Fifth as to what? There's 11:34:32 21 no question on the table. 11:34:33 22 A. You objected last time, too. Just put the 11:34:36 23 Fifth out there. 11:34:38 24 Q. You're pleading the Fifth as to what?</p>	<p>11:35:24 1 and you're going to refuse? 11:35:25 2 A. Have you read it? 11:35:26 3 Q. I'm not going to answer your questions. 11:35:28 4 Your job here is not to debate with me. It's to 11:35:31 5 answer questions. Will you read the document, 11:35:32 6 please. 11:35:33 7 A. I don't remember the document. 11:35:33 8 Q. You haven't looked at it yet. I'm asking 11:35:36 9 you to read it to yourself. Ms. Stevenson, I'm 11:35:38 10 asking you to read the document to determine what 11:35:40 11 questions are appropriate to ask you. 11:35:42 12 A. Okay. Ask me the questions. 11:35:43 13 Q. I'm asking you to read the document to 11:35:45 14 yourself first. 11:35:46 15 A. But I don't remember it. 11:35:48 16 Q. How can you know you don't remember it if 11:35:51 17 you've refused to look at it? 11:35:52 18 A. Because you told me what it was. 11:35:53 19 Q. When did I tell you what it was? 11:35:55 20 A. You said it's something about me versus the 11:35:57 21 United States and something about Paul. Paul 11:36:00 22 Revere. 11:36:01 23 Q. For the record, the case is captioned "Paul 11:36:03 24 Brown, U.S. District Judge."</p>

16 (Pages 465 to 468)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 477	Page 479
<p>11:43:35 1 Hartford?</p> <p>11:43:36 2 A. No.</p> <p>11:43:36 3 Q. Do you have any recollection of</p> <p>11:43:37 4 participating in any litigation to which your minor</p> <p>11:43:41 5 children were a party?</p> <p>11:43:41 6 A. What part of no didn't you get?</p> <p>11:43:45 7 Q. It's a separate question.</p> <p>11:43:47 8 A. It's the same case.</p> <p>11:43:48 9 Q. So your answer is no, you have no</p> <p>11:43:50 10 recollection of participating in any litigation to</p> <p>11:43:52 11 which your children were a party?</p> <p>11:43:53 12 A. Nothing specific.</p> <p>11:43:54 13 Q. I'm not asking you for specifics. You can't</p> <p>11:43:57 14 avoid my questions because --</p> <p>11:44:01 15 A. I don't know the details of this case.</p> <p>11:44:02 16 Q. I'm not asking for details. I'm asking you</p> <p>11:44:05 17 very general questions.</p> <p>11:44:05 18 A. No, I have no general knowledge. I have no</p> <p>11:44:08 19 specific knowledge. I can't answer general</p> <p>11:44:11 20 questions. I can't answer specific questions.</p> <p>11:44:14 21 Q. Okay. Well, let me ask the questions and</p> <p>11:44:17 22 then you can respond to them. You also --</p> <p>11:44:18 23 A. A blanket no.</p> <p>11:44:19 24 Q. You also initiated this lawsuit against two</p>	<p>11:45:45 1 document marked as Exhibit 22. Would you take a</p> <p>11:45:48 2 look at it, please.</p> <p>11:45:59 3 A. Okay. What about it?</p> <p>11:46:03 4 Q. First I'd ask you to turn to the last page.</p> <p>11:46:06 5 There are several exhibits, but there's a signature</p> <p>11:46:08 6 page on pages 14 and 15. They're numbered at the</p> <p>11:46:12 7 bottom.</p> <p>11:46:15 8 You're now looking at the attachments to</p> <p>11:46:17 9 the document. If you'll back up, you'll see the</p> <p>11:46:19 10 pages are numbered. I'll ask you to look at the</p> <p>11:46:21 11 page numbered 14. Is that your signature?</p> <p>11:46:23 12 A. (No verbal response)</p> <p>11:46:43 13 Q. Ms. Stevenson, I'm asking you now just about</p> <p>11:46:45 14 page 14. Is that your signature?</p> <p>11:46:46 15 A. I don't remember anything about this case.</p> <p>11:46:48 16 Q. I'm not asking you about your memory right</p> <p>11:46:50 17 now. I'm asking you if the signature on page 14 is</p> <p>11:46:53 18 your signature.</p> <p>11:46:53 19 A. I don't remember anything about that case.</p> <p>11:46:55 20 Q. That's not the question.</p> <p>11:46:56 21 A. I can't answer about the document.</p> <p>11:46:58 22 Q. You can't verify your own signature?</p> <p>11:47:00 23 A. I can't answer about that document.</p> <p>11:47:01 24 Q. Why?</p>
Page 478	Page 480
<p>11:44:24 1 individuals named Michael Guryel and Sevi Guryel.</p> <p>11:44:30 2 Do you recall participating in litigation against</p> <p>11:44:31 3 those individuals?</p> <p>11:44:32 4 A. Didn't I tell you no?</p> <p>11:44:35 5 Q. That's your answer, no?</p> <p>11:44:37 6 A. No in regard to -- What document -- What</p> <p>11:44:41 7 exhibit is this? Exhibit Number 21, I can't answer</p> <p>11:44:46 8 any questions on this.</p> <p>11:44:47 9 Q. I'm asking you a question that's not related</p> <p>11:44:50 10 to the document now. I'm asking you if you have any</p> <p>11:44:52 11 memory of ever participating in litigation in any</p> <p>11:44:54 12 case against Michael Guryel or Sevi Guryel. Do you</p> <p>11:44:59 13 have any such recollection?</p> <p>11:45:00 14 A. Is it this case?</p> <p>11:45:02 15 Q. I'm asking you a very simple question. I'm</p> <p>11:45:05 16 asking you, do you have any --</p> <p>11:45:06 17 A. I don't recall the names.</p> <p>11:45:08 18 Q. You have no memory of initiating a lawsuit</p> <p>11:45:10 19 against these two people?</p> <p>11:45:11 20 A. Didn't I just say no?</p> <p>11:45:12 21 Q. Okay.</p> <p>11:45:43 22 (Exhibit Number 22</p> <p>11:45:43 23 marked for identification)</p> <p>11:45:43 24 Q. Ms. Stevenson, I'm now showing you a</p>	<p>11:47:02 1 A. Because I don't remember anything specific</p> <p>11:47:04 2 about it.</p> <p>11:47:05 3 Q. That's not -- I'm not asking you for any</p> <p>11:47:07 4 memory whatsoever.</p> <p>11:47:08 5 A. Yes, you are.</p> <p>11:47:09 6 Q. Don't tell me what I'm asking you. Let me</p> <p>11:47:11 7 get the questions out, please.</p> <p>11:47:13 8 A. I said I can't answer questions at all.</p> <p>11:47:15 9 Q. You saw a signature on page 14, did you not?</p> <p>11:47:18 10 A. I can't answer your questions.</p> <p>11:47:20 11 Q. Why? I'm not asking you for your memory</p> <p>11:47:23 12 now. I'm asking you to look at a document that's</p> <p>11:47:25 13 before you right this minute.</p> <p>11:47:27 14 A. I said I can't answer.</p> <p>11:47:29 15 Q. Why?</p> <p>11:47:30 16 A. I can't.</p> <p>11:47:30 17 Q. Why?</p> <p>11:47:31 18 A. I can't remember anything about this case.</p> <p>11:47:32 19 Q. I'm not asking you anything about your</p> <p>11:47:34 20 memory. I'm asking you to look at a document that's</p> <p>11:47:36 21 before you presently.</p> <p>11:47:37 22 A. No. I can't answer anything about this.</p> <p>11:47:38 23 Q. Why?</p> <p>11:47:39 24 A. I can't verify anything. I can't answer</p>

19 (Pages 477 to 480)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 481	Page 483
<p>11:47:42 1 specific, general or broad questions. I can't.</p> <p>11:47:44 2 Q. I'm not asking you anything about your</p> <p>11:47:45 3 memory; do you understand that? I'm --</p> <p>11:47:49 4 A. I cannot verify anything. I can't verify</p> <p>11:47:51 5 anything on this.</p> <p>11:47:51 6 Q. Please let me get the questions out.</p> <p>11:47:53 7 A. I cannot verify anything.</p> <p>11:47:54 8 Q. I'm asking about a document --</p> <p>11:47:56 9 A. Thank you.</p> <p>11:47:5610 Q. I'm asking about a document --</p> <p>11:47:5811 A. This is the end of 22.</p> <p>11:48:0212 May I see that again, please?</p> <p>11:48:0313 Q. That's, for the record, the document marked</p> <p>11:48:0514 as Exhibit 22.</p> <p>11:48:0615 A. I can't answer anything on 22.</p> <p>11:48:0816 Q. I'm not asking for your memory, you</p> <p>11:48:1017 understand that? Do you understand that,</p> <p>11:48:1118 Ms. Stevenson?</p> <p>11:48:1219 A. Sorry.</p> <p>11:48:1520 Q. Do you understand that I'm not asking for</p> <p>11:48:1721 your memory?</p> <p>11:48:1722 A. I can't answer anything specific about this</p> <p>11:48:1923 document.</p> <p>11:48:1924 Q. You can't verify your own signature on the</p>	<p>11:48:56 1 A. I can't answer anything about this case.</p> <p>11:48:58 2 Q. I just told you that has nothing to do with</p> <p>11:49:01 3 the document that's in front of you. I'm asking you</p> <p>11:49:02 4 a general question.</p> <p>11:49:03 5 A. You know what, you gave me a lot of stuff</p> <p>11:49:05 6 today I didn't recall and I don't remember. That's</p> <p>11:49:10 7 all I can tell you. Come on.</p> <p>11:49:12 8 Q. Ms. Stevenson, you have to respond to the</p> <p>11:49:13 9 questions that I ask you.</p> <p>11:49:1410 A. I just did, sir.</p> <p>11:49:1511 Q. You certainly did not.</p> <p>11:49:1712 A. Sir, sir, I'm not answering the way you want</p> <p>11:49:1913 me to.</p> <p>11:49:2014 Q. I'm not asking you for your memory. I'm not</p> <p>11:49:2415 asking you anything about the case. I'm asking you</p> <p>11:49:2816 a very simple question.</p> <p>11:49:2817 A. When we started this you said will I do my</p> <p>11:49:3118 best to remember, will I do my best to recall. Do</p> <p>11:49:3519 you remember all that peripheries you brought in to</p> <p>11:49:3920 this deposition? Okay. I'm doing it. I'm doing my</p> <p>11:49:4221 best. I can't.</p> <p>11:49:4222 Q. Okay. The question I'm about to ask you,</p> <p>11:49:4423 for the record, is not about your memory.</p> <p>11:49:4524 A. But this is how I look at it. This is how I</p>
Page 482	Page 484
<p>11:48:21 1 document?</p> <p>11:48:21 2 A. I can't answer anything specific about this</p> <p>11:48:23 3 document.</p> <p>11:48:24 4 Q. Why?</p> <p>11:48:24 5 A. Because I just told you I can't.</p> <p>11:48:26 6 Q. That's not a why. That's a blanket</p> <p>11:48:28 7 statement that you're refusing to answer a question</p> <p>11:48:30 8 about the document.</p> <p>11:48:31 9 A. It's not a refusal.</p> <p>11:48:3310 Q. Why is it that you can't verify your own</p> <p>11:48:3511 signature on the document?</p> <p>11:48:3512 A. Because then I would have to have some</p> <p>11:48:3713 specific memory.</p> <p>11:48:3814 Q. You can't recognize your own signature?</p> <p>11:48:3915 A. Then I'm going to have to have a specific</p> <p>11:48:4216 memory.</p> <p>11:48:4217 Q. I'm not asking you for your memory of the</p> <p>11:48:4418 case.</p> <p>11:48:4419 A. No, I can't.</p> <p>11:48:4520 Q. You can't recognize your own signature?</p> <p>11:48:4721 A. I can't answer anything about this document.</p> <p>11:48:4922 Q. In general. If I ask you to identify your</p> <p>11:48:5123 own signature, you're not capable of doing that; is</p> <p>11:48:5524 that what you're telling me?</p>	<p>11:49:48 1 see it. If I don't know the document, how can I</p> <p>11:49:51 2 verify a point on it?</p> <p>11:49:53 3 Q. I'm asking you if you're able to</p> <p>11:49:55 4 recognize --</p> <p>11:49:56 5 A. Did you hear me?</p> <p>11:49:57 6 Q. I'm not going to answer your questions.</p> <p>11:49:59 7 Your job is to answer my questions.</p> <p>11:50:01 8 A. There has to be some reason here. Be</p> <p>11:50:03 9 reasonable.</p> <p>11:50:0310 Q. I'm being perfectly reasonable,</p> <p>11:50:0511 Ms. Stevenson.</p> <p>11:50:0512 A. No, you're not.</p> <p>11:50:0713 Q. You have to let me get my questions out.</p> <p>11:50:0814 A. You have never been reasonable. You have</p> <p>11:50:1015 sat over there and been very unreasonable.</p> <p>11:50:1316 Q. Are you done?</p> <p>11:50:1417 A. You have picked on me.</p> <p>11:50:1618 Q. Are you done?</p> <p>11:50:1819 A. With Exhibit 22, yes, we are.</p> <p>11:50:2020 Q. I'm not talking about the document. I was</p> <p>11:50:2321 asking you if you're done making speeches. Have you</p> <p>11:50:2522 said what you have to say?</p> <p>11:50:2723 A. We're finished with Exhibit 22.</p> <p>11:50:2924 Q. We'll be finished when I say we're finished.</p>

20 (Pages 481 to 484)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 489	Page 491
<p>11:54:24 1 Q. So I'm going to ask you a question. And I 11:54:28 2 will take Exhibit 22 from you so it's clear that I'm 11:54:30 3 not asking you about this document or about this 11:54:32 4 lawsuit. Okay? 11:54:33 5 A. Okay. 11:54:33 6 Q. This is a question, very general and very 11:54:36 7 simple. Is it your testimony that you cannot 11:54:38 8 identify your own signature on a piece of paper? 11:54:40 9 A. I think I can recognize -- I think I can 11:54:47 10 recognize my signature, but if it's -- I can 11:54:58 11 recognize my signature, but if it's on something I 11:55:12 12 don't remember, I can't truthfully say I remember 11:55:15 13 doing that. 11:55:16 14 Q. You can't say that you remember signing it 11:55:18 15 if you don't remember the document; is that what 11:55:19 16 you're saying? 11:55:20 17 A. All right. That's perfectly fair. 11:55:22 18 Q. Now I'm going to show you Exhibit 22 again 11:55:26 19 and I'm going to show you page 14, which we 11:55:28 20 discussed before. There's a signature on that page. 11:55:30 21 Do you see it? 11:55:31 22 A. Okay. 11:55:34 23 Q. Without regard to whether you remember 11:55:38 24 specifically the act of signing this document, I</p>	<p>11:57:02 1 general way? 11:57:03 2 A. Sir, I can't even answer that. 11:57:07 3 Q. You can't tell me whether the signature on 11:57:08 4 that page looks like your own signature in a general 11:57:11 5 way? 11:57:11 6 A. Sir, I can't even do that because there's 11:57:16 7 some testimony I've given on documents I don't even 11:57:18 8 remember authoring, like a resume. Like the resume 11:57:24 9 you showed me last time, I didn't even remember 11:57:26 10 authoring that, but I guess it was mine. 11:57:27 11 Q. I'm not asking you anything about documents 11:57:29 12 you authored. 11:57:30 13 A. I can't. I got to go back -- When I get 11:57:34 14 this last transcript I'm going to go back and undo 11:57:36 15 that because if I don't remember authoring it or 11:57:39 16 writing it, can I fairly say it's mine? Can I 11:57:43 17 truthfully say it's mine if there's doubt? 11:57:46 18 Q. Well, what I'm asking you for in any of 11:57:48 19 these cases -- 11:57:49 20 A. I can't. There's doubt. 11:57:50 21 Q. Ms. Stevenson, you can't interrupt me. What 11:57:52 22 I'm asking you for in any of these cases, as with 11:57:56 23 any of these documents, I'm asking you for your best 11:57:59 24 memory. I'm not asking you to be 100 percent</p>
Page 490	Page 492
<p>11:55:40 1 want you to tell me whether or not you believe that 11:55:42 2 to be your signature. 11:55:46 3 A. I cannot state I believe that. I cannot 11:55:52 4 state that. I can't. 11:55:55 5 Q. Is it your belief that that is, in fact, not 11:55:58 6 your signature? 11:55:58 7 A. I can't even state that. 11:56:00 8 Q. You just have no perception one way or 11:56:04 9 another as to whether that might be your signature? 11:56:06 10 A. I can't even answer that. I just -- Because 11:56:15 11 of the context it's in. I can't fairly, truthfully, 11:56:21 12 with the oath I've taken, answer that. 11:56:23 13 Q. Well, you testified just a minute ago that 11:56:25 14 while you may not remember a specific document and 11:56:28 15 the act of signing a specific document, that you can 11:56:30 16 recognize your signature; is that right? 11:56:32 17 A. No. I said if I had to verify a document 11:56:40 18 and I didn't remember it and then you turn to a page 11:56:42 19 and you have a specific point in a document I don't 11:56:46 20 remember and you want me to -- in the context of 11:56:50 21 that unknown document verify one point on it, I 11:56:56 22 can't. 11:56:56 23 Q. Okay. So you can't recognize this as your 11:56:59 24 signature. Does it look like your signature in a</p>	<p>11:58:02 1 certain. 11:58:02 2 A. But you want me to be truthful. 11:58:04 3 Q. I want you to give me your best memory. 11:58:07 4 A. But if it verges on not being truthful, then 11:58:11 5 I've violated my oath. You'd be the first one to 11:58:15 6 prosecute me on lying. 11:58:16 7 Q. Ms. Stevenson, all I'm asking you for each 11:58:18 8 time is your memory. 11:58:19 9 A. The truth of my best memory is I can't 11:58:22 10 answer that. 11:58:23 11 Q. And you understand, as we discussed before, 11:58:25 12 that when I ask you to give your best memory, you 11:58:28 13 can't just give me whatever happens to be at the 11:58:30 14 forefront of your mind. You have to endeavor to try 11:58:32 15 to remember. 11:58:33 16 A. I'm endeavoring. I can't remember. 11:58:35 17 Q. I want you to take some time with this 11:58:37 18 document and look at it as long as you can, as long 11:58:39 19 as you need to, and tell me whether it refreshes 11:58:42 20 your recollection as to a lawsuit you may have 11:58:44 21 participated in. 11:58:44 22 A. Sir, with all honesty within me, with all 11:58:49 23 honesty within me, I cannot truthfully answer that. 11:58:53 24 Q. I'm asking you to look at the document and</p>

22 (Pages 489 to 492)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 501	Page 503
<p>12:08:48 1 not asking you anything about your memory. 12:08:49 2 A. You asked me if I recall -- 12:08:52 3 Q. That question has been asked. We've moved 12:08:55 4 on. 12:08:55 5 A. Answered. 12:08:56 6 Q. Your answer was you don't recall 12:08:57 7 participating in that litigation, correct? 12:08:59 8 A. That's right. 12:09:00 9 Q. So now I'm asking you no nothing about your 12:09:03 10 memory of the litigation. I'm asking you about the 12:09:04 11 document that's sitting in front of you. I've 12:09:07 12 turned it to the second page, and I've represented 12:09:09 13 to you that that reflects that you are the plaintiff 12:09:13 14 in that case, right? 12:09:14 15 A. Is that your representation? 12:09:16 16 Q. That's right. 12:09:16 17 A. Then put it on the record. 12:09:18 18 Q. Do you see that in front of you? That's 12:09:20 19 what I'm asking. 12:09:22 20 A. I'm not really looking. 12:09:23 21 Q. I would ask you to look at the document. 12:09:24 22 A. But you know, I don't remember -- 12:09:26 23 Q. I'm not asking you for your memory. 12:09:28 24 A. I have no memory.</p>	<p>12:10:18 1 Q. I'm asking you, Ms. Stevenson, is that your 12:10:21 2 name on this document? 12:10:21 3 A. I can't answer that truthfully. 12:10:26 4 Q. You can't answer truthfully whether that's 12:10:29 5 your name, that's what you're telling me? 12:10:31 6 A. I can't answer truthfully about this 12:10:33 7 document in general. 12:10:34 8 Q. I'm not asking you any questions about the 12:10:36 9 document in general. 12:10:37 10 A. Yes, you are. It's on this document that 12:10:39 11 you asked me do I recall. 12:10:40 12 Q. I didn't ask you anything about your 12:10:42 13 recollection. I asked you what -- 12:10:43 14 A. I have no memory. 12:10:44 15 Q. I'm not asking you for your memory. 12:10:46 16 A. I can't truthfully answer that. 12:10:47 17 Q. You can't truthfully answer whether -- 12:10:49 18 A. Because -- 12:10:50 19 Q. Let me get the question out. You are 12:10:53 20 telling me you can't truthfully answer whether a 12:10:55 21 document that's in front of you as we speak, that's 12:10:57 22 been marked as Exhibit 24, has your name on it? 12:11:01 23 That's your testimony? 12:11:02 24 A. I've answered in regard to Exhibit 24.</p>
Page 502	Page 504
<p>12:09:29 1 Q. I'm asking you to look at a document that is 12:09:31 2 presently before you right now. 12:09:32 3 A. But I have no memory of it in general. 12:09:34 4 Q. That's not what I'm asking you. 12:09:36 5 A. You know what, you've taken it out of 12:09:38 6 context. 12:09:39 7 Q. I'm not asking you the context. I'm asking 12:09:42 8 you if that's your name on the paper. 12:09:46 9 A. If I have no memory of it -- I don't care if 12:09:49 10 my name begins or ends this document. I have no 12:09:52 11 memory. 12:09:52 12 Q. I'm not asking your memory. I'm asking 12:09:55 13 you -- 12:09:55 14 A. I cannot answer truthfully. 12:09:57 15 Q. You can't answer the question as to whether 12:09:59 16 your name appears on this document? 12:10:01 17 A. You think it's my name? 12:10:04 18 Q. I'm asking the questions, Ms. Stevenson. 12:10:06 19 A. You think it's my name? 12:10:08 20 Q. I'm not going to answer your questions. I'm 12:10:11 21 the one that -- 12:10:12 22 A. How many Janice W. Stevensons or Wilson 12:10:15 23 Stevensons did you bring up? How do you know it's 12:10:17 24 all me?</p>	<p>12:11:09 1 We were supposed to have a break at the 12:11:10 2 end of 23. 12:11:11 3 Q. We can take a break at the end of this one. 12:11:15 4 How about that? 12:11:15 5 A. Would this be the end? 12:11:15 6 Q. Not even close. I'm asking you -- 12:11:22 7 A. You promised we would be out of here early. 12:11:22 8 Q. If you answer my questions we can get 12:11:24 9 through this very quickly. 12:11:25 10 A. I can't just answer and not be truthful. I 12:11:27 11 could say yes to everything. 12:11:29 12 Q. You're arguing with me right now. This is 12:11:31 13 not productive. 12:11:31 14 A. I'm not arguing with you. I'm not arguing 12:11:34 15 with you. I'm not arguing with you. 12:11:35 16 Q. What are you doing, contradicting me? 12:11:37 17 A. I'm not contradicting you. 12:11:39 18 Q. What did you just do? 12:11:40 19 A. I'm just following your instructions given 12:11:43 20 to me at the beginning of this deposition. 12:11:44 21 Q. My instructions to you at the beginning of 12:11:47 22 this deposition were not to go off on side colloquy 12:11:50 23 and not to debate with me. My instructions to you 12:11:53 24 were to answer the questions that I ask you</p>

25 (Pages 501 to 504)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 505	Page 507
<p>12:11:55 1 truthfully and succinctly. You haven't done that</p> <p>12:11:58 2 once. I'm asking you --</p> <p>12:11:59 3 A. Maybe I'm being truthful. Have you ever</p> <p>12:12:04 4 thought about that? Maybe she's being truthful.</p> <p>12:12:07 5 Maybe this person never remembers anything she has</p> <p>12:12:10 6 done in the past because you forget what's behind</p> <p>12:12:12 7 you and you move on.</p> <p>12:12:14 8 Q. Let's focus on that for a moment. Are you</p> <p>12:12:16 9 aware of any disorders you have with respect to your</p> <p>12:12:19 10 memory?</p> <p>12:12:20 11 A. None that's diagnosed.</p> <p>12:12:21 12 Q. Do you believe that you have problems with</p> <p>12:12:23 13 your memory?</p> <p>12:12:23 14 A. I think I have -- like your keys or</p> <p>12:12:33 15 something, you forget to grab something before you</p> <p>12:12:36 16 leave the house, but most people do.</p> <p>12:12:37 17 Q. Exactly. Do you believe that you have some</p> <p>12:12:40 18 sort of disorder with respect to your memory?</p> <p>12:12:41 19 A. I'm not a physician.</p> <p>12:12:43 20 Q. I'm not asking you for a diagnosis. I'm</p> <p>12:12:46 21 asking you what you believe.</p> <p>12:12:47 22 A. I would not even venture to say that</p> <p>12:12:52 23 something was wrong with me even if I thought</p> <p>12:12:55 24 something was wrong with me because no one wants</p>	<p>12:14:05 1 from things in the past truthfully.</p> <p>12:14:09 2 Q. I'm going to ask you to look at Exhibit 24</p> <p>12:14:11 3 again.</p> <p>12:14:12 4 A. I can't, sir.</p> <p>12:14:12 5 Q. You can't look at the document?</p> <p>12:14:13 6 A. I can't answer questions.</p> <p>12:14:16 7 Q. You can certainly answer questions that</p> <p>12:14:17 8 don't rely on your memory.</p> <p>12:14:18 9 A. Because I think you're taking it in</p> <p>12:14:21 10 context -- you're taking it out of context. You</p> <p>12:14:23 11 asked me about a document. In that document you</p> <p>12:14:25 12 want me to verify specific information. I can't,</p> <p>12:14:28 13 sir.</p> <p>12:14:28 14 Q. I'm just asking you questions that relate to</p> <p>12:14:30 15 the document.</p> <p>12:14:30 16 A. But don't --</p> <p>12:14:31 17 Q. Let me get the questions out. You can't</p> <p>12:14:33 18 interrupt me, Ms. Stevenson. Certainly you can</p> <p>12:14:36 19 answer questions about the document before you</p> <p>12:14:38 20 whether or not you remember the underlying</p> <p>12:14:39 21 proceeding. You can verify for me that's a</p> <p>12:14:43 22 three-page document, can you not?</p> <p>12:14:44 23 A. Let me count. One page flips up, two --</p> <p>12:14:53 24 there's a second page and there's a third page. I</p>
Page 506	Page 508
<p>12:12:57 1 anything to be wrong with them. I think I'm just an</p> <p>12:13:01 2 average person.</p> <p>12:13:02 3 Q. So your memory is average, that's your</p> <p>12:13:04 4 testimony?</p> <p>12:13:04 5 A. Let's put it this way, I'm not good at</p> <p>12:13:11 6 memory games.</p> <p>12:13:11 7 Q. I'm not asking about games. I'm asking</p> <p>12:13:14 8 about your memory in general. Do you believe that</p> <p>12:13:15 9 your memory is on a par with that of the general</p> <p>12:13:18 10 population?</p> <p>12:13:18 11 A. I don't know.</p> <p>12:13:20 12 Q. Do you believe that --</p> <p>12:13:22 13 A. Because I don't know what general memory is.</p> <p>12:13:24 14 Q. Okay. Do you believe that your memory is</p> <p>12:13:27 15 substantially worse than that of the general</p> <p>12:13:29 16 population?</p> <p>12:13:30 17 A. I really feel if there are specific</p> <p>12:13:36 18 questions like you've asked me and I can't remember</p> <p>12:13:44 19 because I can't remember because it's -- I don't</p> <p>12:13:52 20 remember, I guess that's average, right?</p> <p>12:13:54 21 Q. Okay. So your testimony is you believe your</p> <p>12:13:56 22 memory to be average?</p> <p>12:13:58 23 A. No. My testimony is, I've answered</p> <p>12:14:02 24 truthfully what I remember and what I don't remember</p>	<p>12:14:57 1 don't know how it's numbered. I count three.</p> <p>12:15:01 2 Q. You can verify for me there are three pages</p> <p>12:15:04 3 to the document before you?</p> <p>12:15:04 4 A. At the top of it it says "Page 1 of 3."</p> <p>12:15:07 5 Q. Right. And can you verify for me the first</p> <p>12:15:09 6 line on the first page says "Commonwealth of</p> <p>12:15:15 7 Massachusetts"?</p> <p>12:15:15 8 A. That's what it reads, "Commonwealth of</p> <p>12:15:29 9 Massachusetts."</p> <p>12:15:29 10 Q. That's all I'm asking you is what the</p> <p>12:15:31 11 document says. I'm not asking you anything about</p> <p>12:15:33 12 your memory.</p> <p>12:15:33 13 A. But is there -- Where is Essex?</p> <p>12:15:36 14 Q. I'm going to turn to page 2. I want you to</p> <p>12:15:41 15 look under the party listing where it says "Party</p> <p>12:15:43 16 involved." Do you see that? Right there. Do you</p> <p>12:15:51 17 see your name listed there?</p> <p>12:15:52 18 A. (No verbal response)</p> <p>12:16:11 19 Q. Do you understand the question?</p> <p>12:16:12 20 A. I see a name listed there.</p> <p>12:16:15 21 Q. What name is that?</p> <p>12:16:16 22 A. I see one, two -- I see two names listed</p> <p>12:16:32 23 here.</p> <p>12:16:32 24 Q. What are those two names?</p>

26 (Pages 505 to 508)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 509	Page 511
<p>12:16:34 1 A. (No verbal response)</p> <p>12:16:39 2 Q. Ms. Stevenson, let's focus on the second</p> <p>12:16:41 3 page of the document. What are the names you see</p> <p>12:16:47 4 listed?</p> <p>12:16:47 5 A. It says "Parties involved. Role:</p> <p>12:17:08 6 Defendant," and it lists some house. There's no</p> <p>12:17:15 7 address.</p> <p>12:17:15 8 Q. You're referring to the line that reads</p> <p>12:17:19 9 "Lazarus House Ministries, Inc."?</p> <p>12:17:20 10 A. And it lists --</p> <p>12:17:21 11 Q. I'm asking you a question. Are you</p> <p>12:17:22 12 referring to the line that says "Lazarus House</p> <p>12:17:25 13 Ministries, Inc."?</p> <p>12:17:29 14 A. Yes.</p> <p>12:17:29 15 Q. And then --</p> <p>12:17:31 16 A. Am I reading this document as we go along?</p> <p>12:17:34 17 Q. Are you trying to tell me this has refreshed</p> <p>12:17:34 18 your memory in some way?</p> <p>12:17:35 19 A. No, but I'm reading it.</p> <p>12:17:37 20 Q. That's fine. That's what I'm asking you.</p> <p>12:17:39 21 A. Why do I have to read it and answer it? Why</p> <p>12:17:42 22 can't you just read it into the record?</p> <p>12:17:43 23 Q. It's not your role.</p> <p>12:17:44 24 A. No, it's not my role. You're not going to</p>	<p>12:18:25 1 Q. Do you understand what I've asked you?</p> <p>12:18:26 2 A. You've asked me not to participate in my</p> <p>12:18:30 3 deposition.</p> <p>12:18:31 4 Q. I certainly have not. I've asked you that</p> <p>12:18:33 5 when I ask you a question, you let me get the whole</p> <p>12:18:37 6 question out and not interrupt.</p> <p>12:18:38 7 A. You want me to answer questions the way you</p> <p>12:18:40 8 want it to be on the record. That's wrong. That's</p> <p>12:18:43 9 manipulative.</p> <p>12:18:44 10 Q. There's nothing manipulative about what I've</p> <p>12:18:46 11 asked you. I want you to give me the answer you</p> <p>12:18:50 12 believe to be truthful.</p> <p>12:18:51 13 A. I don't believe it to be truthful if I</p> <p>12:18:53 14 answer it. I don't believe it to be fair. And I</p> <p>12:18:58 15 don't believe it to go to the core of my claim</p> <p>12:19:00 16 against your client.</p> <p>12:19:01 17 Q. That's fine.</p> <p>12:19:01 18 A. Thank you. That's the end of Exhibit 24.</p> <p>12:19:03 19 Q. It certainly is not. Ms. Stevenson, you've</p> <p>12:19:06 20 read the line "Lazarus House Ministries" into the</p> <p>12:19:08 21 record, and you said that there were two other</p> <p>12:19:10 22 witnesses -- two other parties listed on that page,</p> <p>12:19:13 23 correct?</p> <p>12:19:13 24 A. I don't want to read it.</p>
Page 510	Page 512
<p>12:17:46 1 give me that role.</p> <p>12:17:46 2 Q. Ms. Stevenson, you're the one that's under</p> <p>12:17:47 3 oath. You're the witness here. Your job is to</p> <p>12:17:50 4 answer questions.</p> <p>12:17:51 5 A. You're manufacturing my answers.</p> <p>12:17:52 6 Q. I'm doing no such thing.</p> <p>12:17:54 7 A. Yes, you are.</p> <p>12:17:54 8 Q. I'm asking you to read a document into the</p> <p>12:17:57 9 record.</p> <p>12:17:57 10 A. Yes, you are.</p> <p>12:17:58 11 Q. What's the --</p> <p>12:17:59 12 A. You asked me about did I remember this</p> <p>12:18:01 13 procedure. Now you want me to read from something I</p> <p>12:18:04 14 do not recognize or recall.</p> <p>12:18:06 15 Q. And that's --</p> <p>12:18:08 16 A. I think it's unfair.</p> <p>12:18:10 17 Q. Your testimony is --</p> <p>12:18:11 18 A. You're not architecting my answers.</p> <p>12:18:14 19 Q. I'm doing no such thing.</p> <p>12:18:15 20 A. Yes, you are.</p> <p>12:18:16 21 Q. Ms. Stevenson, you can't interrupt me.</p> <p>12:18:19 22 Okay? Will you agree not to interrupt me so we can</p> <p>12:18:21 23 get through this?</p> <p>12:18:22 24 A. (No verbal response)</p>	<p>12:19:14 1 Q. I'm not asking you what you want.</p> <p>12:19:16 2 A. I'm not going to read it.</p> <p>12:19:17 3 Q. You're going to refuse to read from this</p> <p>12:19:20 4 document into the record?</p> <p>12:19:21 5 A. Something I don't recognize, yeah.</p> <p>12:19:22 6 Q. You're refusing to read the document?</p> <p>12:19:24 7 A. I don't recognize the document. I have no</p> <p>12:19:26 8 memory.</p> <p>12:19:26 9 Q. I'm not asking if you recognize it.</p> <p>12:19:27 10 A. I cannot truthfully answer your question</p> <p>12:19:29 11 because I don't believe if I read it it will</p> <p>12:19:31 12 truthfully reflect -- it will reflect truthfully on</p> <p>12:19:34 13 the record. I cannot do that to your most honorable</p> <p>12:19:39 14 deposition.</p> <p>12:19:40 15 Q. Stop with the speech.</p> <p>12:19:42 16 A. It is not a speech.</p> <p>12:19:43 17 Q. I'm not asking you to testify about</p> <p>12:19:46 18 anything. My question relates to this document</p> <p>12:19:47 19 that's sitting in front of you right now and what it</p> <p>12:19:50 20 says. Certainly you can tell me what a document</p> <p>12:19:51 21 that's sitting right in front of you right now says.</p> <p>12:19:52 22 A. I don't think it will reflect truthfully on</p> <p>12:19:58 23 the record.</p> <p>12:19:58 24 Q. You're going to refuse to read the document?</p>

27 (Pages 509 to 512)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 513	Page 515
<p>12:20:00 1 A. I'm not going to be untruthful.</p> <p>12:20:02 2 Q. I'm not asking you to be untruthful. I'm</p> <p>12:20:05 3 asking you to read a document truthfully into the</p> <p>12:20:07 4 record.</p> <p>12:20:07 5 A. That would be untruthful.</p> <p>12:20:08 6 Q. How is your reading a document truthfully</p> <p>12:20:10 7 into the record untruthful?</p> <p>12:20:10 8 A. Because I just told you on -- What exhibit</p> <p>12:20:13 9 is this?</p> <p>12:20:13 10 Q. It's Exhibit 24.</p> <p>12:20:14 11 A. -- Exhibit 24, I cannot generally,</p> <p>12:20:17 12 specifically answer questions. I'm not going to</p> <p>12:20:20 13 read from something that I don't know what it's</p> <p>12:20:22 14 about.</p> <p>12:20:23 15 Q. I'm not asking you anything about the</p> <p>12:20:24 16 proceedings. I'm asking you a very simple question.</p> <p>12:20:27 17 A. I will not.</p> <p>12:20:27 18 Q. Let me get the questions out. Just as I</p> <p>12:20:30 19 asked you how many pages are in this document, you</p> <p>12:20:33 20 could answer that.</p> <p>12:20:33 21 A. I don't feel good anymore.</p> <p>12:20:35 22 Q. I asked you how many parties -- Let me get</p> <p>12:20:37 23 the questions out. I asked you how many parties</p> <p>12:20:39 24 there were. You identified for the record that</p>	<p>12:21:46 1 you believe it says is dishonest? That's the only</p> <p>12:21:48 2 question on the table. Do you understand that?</p> <p>12:21:49 3 A. I cannot do that. I cannot honestly do that</p> <p>12:21:52 4 in all ethics. I don't believe it's ethical.</p> <p>12:21:54 5 Q. What is unethical about reading a document?</p> <p>12:21:57 6 A. I don't think -- It does not reflect well on</p> <p>12:22:00 7 the record.</p> <p>12:22:00 8 Q. I don't want you to opine about what</p> <p>12:22:03 9 reflects well on the record. Your job is just to</p> <p>12:22:06 10 testify truthfully.</p> <p>12:22:07 11 A. You're manufacturing this.</p> <p>12:22:08 12 Q. I'm manufacturing nothing. I've set a</p> <p>12:22:09 13 document before you --</p> <p>12:22:11 14 A. You're manufacturing this.</p> <p>12:22:12 15 Q. I'm manufacturing nothing. You're arguing</p> <p>12:22:15 16 with me and you're debating.</p> <p>12:22:16 17 A. You are. I'm ready to move on.</p> <p>12:22:18 18 Q. We're not going to move on until you answer</p> <p>12:22:20 19 the questions.</p> <p>12:22:21 20 A. I can't truthfully answer that question.</p> <p>12:22:23 21 Q. Are you telling me you're unable to read?</p> <p>12:22:25 22 A. You made me read them. You're not going to</p> <p>12:22:28 23 make me read this.</p> <p>12:22:29 24 Q. You're capable of reading?</p>
Page 514	Page 516
<p>12:20:40 1 there were two.</p> <p>12:20:41 2 Now all I'm asking you is to truthfully</p> <p>12:20:44 3 read into the record what is written right in front</p> <p>12:20:47 4 of you. Will you do that?</p> <p>12:20:48 5 A. The reading of this record would not reflect</p> <p>12:20:53 6 a truthful -- I think it will be out of context. I</p> <p>12:21:04 7 think -- I don't know the word. It wouldn't</p> <p>12:21:09 8 reflect -- It would be out of context. It would be</p> <p>12:21:11 9 like taking -- tearing off a piece of a puzzle and</p> <p>12:21:15 10 putting it in the record. And it's not accurate.</p> <p>12:21:19 11 Q. What about it is not accurate? I'm asking</p> <p>12:21:21 12 you only what the document says. I want you to tell</p> <p>12:21:23 13 me accurately --</p> <p>12:21:24 14 A. I don't want to do this.</p> <p>12:21:25 15 Q. I don't care what you want.</p> <p>12:21:26 16 A. I'm not going to do it.</p> <p>12:21:27 17 Q. You're refusing to participate? You're</p> <p>12:21:29 18 refusing to read the document into the record?</p> <p>12:21:31 19 A. I'm refusing to be dishonest.</p> <p>12:21:33 20 Q. What about reading a document --</p> <p>12:21:34 21 A. I'm refusing to be dishonest. I'm refusing</p> <p>12:21:38 22 to be dishonest. I'm not going to do it.</p> <p>12:21:41 23 Q. What about reading a document that's sitting</p> <p>12:21:44 24 in front of you and reading into the record whatever</p>	<p>12:22:31 1 A. I think it's designed to -- for my answer</p> <p>12:22:38 2 that even though it's on the record, it's going to</p> <p>12:22:40 3 be untrue.</p> <p>12:22:41 4 Q. What is untrue? Is it your testimony that</p> <p>12:22:46 5 your name does not appear on that document?</p> <p>12:22:48 6 A. (No verbal response)</p> <p>12:22:49 7 Q. Do you understand the question?</p> <p>12:22:53 8 A. (No verbal response)</p> <p>12:22:53 9 MR. MILLER: For the record,</p> <p>12:22:53 10 Ms. Stevenson hasn't given a verbal response.</p> <p>12:22:56 11 Q. The question is, is it your testimony that</p> <p>12:22:58 12 your name does not appear on that document?</p> <p>12:23:00 13 A. If you think that's my name, then you can go</p> <p>12:23:03 14 to court and say, I think this is her name.</p> <p>12:23:05 15 Q. Ms. Stevenson, this is not about what I</p> <p>12:23:07 16 think. This is about your testimony. And the</p> <p>12:23:09 17 question is, is it your testimony that your name</p> <p>12:23:13 18 does not appear on that document?</p> <p>12:23:14 19 A. I don't think that's truthful.</p> <p>12:23:17 20 Q. You don't believe your name appears on this</p> <p>12:23:20 21 document?</p> <p>12:23:20 22 A. I don't think the answer would be truthful</p> <p>12:23:24 23 and I don't think what you represented is truthful.</p> <p>12:23:26 24 Q. I haven't made any representation</p>

28 (Pages 513 to 516)

Page 517	Page 519
<p>12:23:28 1 whatsoever.</p> <p>12:23:29 2 A. Yes, you are.</p> <p>12:23:29 3 Q. I asked you a simple question about a three-</p> <p>12:23:32 4 page document.</p> <p>12:23:32 5 A. I told you my objections.</p> <p>12:23:34 6 Q. You understand that whatever objections you</p> <p>12:23:36 7 have, your testimony is to give the testimony</p> <p>12:23:37 8 subject to the objections. We went over that.</p> <p>12:23:39 9 A. You told me to be truthful.</p> <p>12:23:40 10 Q. That's right.</p> <p>12:23:41 11 A. And I just told you that my answer would</p> <p>12:23:43 12 violate what you stipulated to begin with, that I</p> <p>12:23:48 13 have to be truthful.</p> <p>12:23:49 14 Q. In what respect?</p> <p>12:23:50 15 A. To the best of my recollection.</p> <p>12:23:51 16 Q. In what respect would your answer to the</p> <p>12:23:53 17 question as to whether your name appears in that</p> <p>12:23:55 18 document violates your oath?</p> <p>12:23:56 19 A. Because for some reason you feel it's me and</p> <p>12:23:59 20 you want me to say it's me because -- it's both</p> <p>12:24:05 21 because you think it's supposed to be me. And if I</p> <p>12:24:07 22 said it, it's going to be wrong on the record.</p> <p>12:24:09 23 Q. Your job is not to get behind my answers,</p> <p>12:24:12 24 let me know what I think. Your job is just to</p>	<p>12:25:01 1 you can answer the question any way you want.</p> <p>12:25:03 2 A. It's answered.</p> <p>12:25:04 3 Q. Let me ask you the question. You can answer</p> <p>12:25:09 4 the question any way you want. It's a yes or no</p> <p>12:25:11 5 question. Either your name appears on the document</p> <p>12:25:13 6 or it doesn't.</p> <p>12:25:15 7 A. But you can't ask me a question that will</p> <p>12:25:20 8 mislead the record.</p> <p>12:25:21 9 Q. I can ask you any question that I want.</p> <p>12:25:23 10 A. It will be misleading on the record.</p> <p>12:25:24 11 Q. I can ask you any question that I want.</p> <p>12:25:28 12 A. I won't allow it to be untruthful.</p> <p>12:25:33 13 Q. What is untruthful?</p> <p>12:25:34 14 A. I need to go to the bathroom.</p> <p>12:25:37 15 Q. Would you like to take a break?</p> <p>12:25:38 16 A. Then we will move on to 28.</p> <p>12:25:40 17 Q. No, Ms. Stevenson. I'll tell you when we go</p> <p>12:25:40 18 there.</p> <p>12:25:40 19 Does the name Janice Stevenson appear</p> <p>12:25:43 20 anywhere on the document before you? Do you</p> <p>12:25:45 21 understand the question?</p> <p>12:25:45 22 A. I really have to go.</p> <p>12:25:47 23 Q. If you answer the question you can go.</p> <p>12:25:49 24 A. Look, you're refusing to let me go to the</p>
Page 518	Page 520
<p>12:24:14 1 answer truthfully the questions I ask you.</p> <p>12:24:16 2 A. If I can't answer truthfully -- I just told</p> <p>12:24:18 3 you.</p> <p>12:24:18 4 Q. You can't answer truthfully -- Let me get</p> <p>12:24:21 5 the questions out. You can't answer truthfully</p> <p>12:24:23 6 whether your name appears on the three-page document</p> <p>12:24:25 7 before you?</p> <p>12:24:25 8 A. Maybe if you said it different. "Is there a</p> <p>12:24:27 9 name similar to yours on the document?" Why don't</p> <p>12:24:30 10 you ask me that?</p> <p>12:24:31 11 Q. I will ask the questions that I see fit.</p> <p>12:24:34 12 A. Why don't you say, "Is there a name similar</p> <p>12:24:36 13 to yours on the document?"</p> <p>12:24:38 14 Q. I will ask the question.</p> <p>12:24:39 15 A. "Is there a name similar to yours on the</p> <p>12:24:42 16 document?"</p> <p>12:24:43 17 Q. It's not your job to ask yourself questions.</p> <p>12:24:45 18 It's --</p> <p>12:24:46 19 A. If I Google my name, do you know how many</p> <p>12:24:49 20 people has a similar name to mine?</p> <p>12:24:51 21 Q. This speech is not productive.</p> <p>12:24:53 22 A. I can't answer the question because I don't</p> <p>12:24:57 23 want to violate the oath.</p> <p>12:24:59 24 Q. Ms. Stevenson, I'll represent to you that</p>	<p>12:25:53 1 bathroom.</p> <p>12:25:53 2 Q. You're arguing with me. You could be out</p> <p>12:25:56 3 the door already. Just answer the question. Does</p> <p>12:25:58 4 the name Janice Stevenson appear on the document?</p> <p>12:26:01 5 A. (No verbal response)</p> <p>12:26:04 6 Q. Do you understand the question?</p> <p>12:26:04 7 A. I can't answer that truthfully.</p> <p>12:26:04 8 Q. You cannot answer truthfully whether the</p> <p>12:26:06 9 name Janice Stevenson appears in the three-page</p> <p>12:26:08 10 document before you?</p> <p>12:26:09 11 A. Have you verified who that is?</p> <p>12:26:10 12 Q. Ms. Stevenson, your job is not to ask me</p> <p>12:26:14 13 questions.</p> <p>12:26:14 14 A. Yours is to be efficient.</p> <p>12:26:16 15 Q. Your job is to answer questions.</p> <p>12:26:18 16 A. Yours is to be efficient.</p> <p>12:26:20 17 Q. You want to take a break? Take a break.</p> <p>12:26:23 18 MR. MILLER: Off the record.</p> <p>12:26:23 19 (Lunch recess)</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

Page 529	Page 531
<p>01:11:16 1 other and it's an open possibility that, in fact,</p> <p>01:11:19 2 you did file a lawsuit against Lazarus House</p> <p>01:11:22 3 Ministries, Inc.?</p> <p>01:11:23 4 A. I don't recall.</p> <p>01:11:23 5 Q. And when you say that, you're not excluding</p> <p>01:11:26 6 the possibility that you did so?</p> <p>01:11:28 7 A. I can't answer until I can truthfully</p> <p>01:11:33 8 answer. Now, I don't know what umbrella that puts</p> <p>01:11:36 9 it under because I'm not a lawyer, but hey, I've</p> <p>01:11:39 10 done the best I could, truthfully.</p> <p>01:11:43 11 What's number 28?</p> <p>01:11:43 12 Can I keep this?</p> <p>01:11:43 13 Q. It's not mine to give you, unfortunately.</p> <p>01:12:10 14 We've covered, I think, the territory of</p> <p>01:12:14 15 the various lawsuits in which you've participated,</p> <p>01:12:17 16 so I want to shift and focus on your education. Do</p> <p>01:12:21 17 you recall last time I asked you some questions</p> <p>01:12:23 18 about your education?</p> <p>01:12:24 19 A. I can't recall your specific questions.</p> <p>01:12:32 20 What did we talk about?</p> <p>01:12:34 21 Q. You recall that, in general, we discussed</p> <p>01:12:36 22 the subject of your education?</p> <p>01:12:38 23 A. Yeah. We were here. I guess you said so,</p> <p>01:12:41 24 yeah.</p>	<p>01:13:40 1 you didn't actually take the exam, right?</p> <p>01:13:41 2 A. No. I could not pay for that.</p> <p>01:13:43 3 Q. But you did complete the self-study course?</p> <p>01:13:45 4 A. Yeah. Something you do at home. Every</p> <p>01:13:49 5 night I'd look at the books.</p> <p>01:13:51 6 Q. And you also told me that you had similarly</p> <p>01:13:53 7 completed a self-study course that related to a</p> <p>01:13:56 8 certification in payroll-related responsibilities;</p> <p>01:14:01 9 is that right?</p> <p>01:14:01 10 A. Yes. The entry level courses were normally</p> <p>01:14:08 11 for persons who do -- What do they call it? The</p> <p>01:14:14 12 tactical work, the paperwork.</p> <p>01:14:19 13 And normally if you get into the</p> <p>01:14:20 14 advanced certifications you're more into strategy,</p> <p>01:14:23 15 designing policy.</p> <p>01:14:26 16 So a lot of times you're not permitted</p> <p>01:14:30 17 to take certain certifications if you don't have</p> <p>01:14:34 18 certain levels -- take the exam for a certain level</p> <p>01:14:38 19 of certification if you don't have that background</p> <p>01:14:41 20 for at least two or three years.</p> <p>01:14:43 21 Q. So what you're telling me is that the</p> <p>01:14:45 22 program of study in which you participated involved</p> <p>01:14:48 23 first studying for an exam --</p> <p>01:14:50 24 A. The PHR is, like, the lowest level. You're</p>
Page 530	Page 532
<p>01:12:41 1 Q. And do you recall that you told me that you</p> <p>01:12:45 2 finished the 11th grade?</p> <p>01:12:46 3 A. Yes.</p> <p>01:12:46 4 Q. And do you recall you told me that you</p> <p>01:12:48 5 completed a bachelor's degree at Grambling</p> <p>01:12:51 6 University?</p> <p>01:12:51 7 A. Yes.</p> <p>01:12:52 8 Q. Do you recall that you told me you took some</p> <p>01:12:55 9 continuing education classes both at Grambling and</p> <p>01:12:58 10 at Collin County Community College and at the</p> <p>01:13:00 11 University of North Texas at Denton? Do you recall</p> <p>01:13:03 12 that?</p> <p>01:13:03 13 A. Yeah. As best as I could recall, I</p> <p>01:13:08 14 recalled.</p> <p>01:13:08 15 Q. You recall that testimony?</p> <p>01:13:08 16 A. As best as I could remember when you asked</p> <p>01:13:12 17 me, I recalled. I haven't done any further research</p> <p>01:13:20 18 on stuff because that was the best of my memory.</p> <p>01:13:27 19 Q. That's all I'm asking you.</p> <p>01:13:27 20 And you told me that other than what we</p> <p>01:13:30 21 just listed, that was the extent of your education?</p> <p>01:13:32 22 A. As far as I can remember.</p> <p>01:13:34 23 Q. We discussed the fact that you had conducted</p> <p>01:13:37 24 a self-study course for the PHR certification, but</p>	<p>01:14:54 1 still pushing paper. You're not designing policy</p> <p>01:14:56 2 or --</p> <p>01:14:57 3 Q. You're an HR generalist, right?</p> <p>01:14:59 4 A. Yeah. System or something like that.</p> <p>01:15:02 5 Q. After you complete the PHR and you have</p> <p>01:15:04 6 certain responsibilities for some period of time,</p> <p>01:15:06 7 you can get advanced certifications in various</p> <p>01:15:08 8 subject matters?</p> <p>01:15:09 9 A. If you're doing those job duties.</p> <p>01:15:11 10 Q. Okay. And you told me that, after we'd</p> <p>01:15:14 11 reviewed the formal education that we just discussed</p> <p>01:15:16 12 a moment ago and the certifications, that was the</p> <p>01:15:18 13 extent of your educational credentials, right?</p> <p>01:15:23 14 A. Other underlying courses you take.</p> <p>01:15:26 15 Q. But you never took any other advanced</p> <p>01:15:28 16 graduate courses?</p> <p>01:15:29 17 A. No.</p> <p>01:15:30 18 Q. Okay.</p> <p>01:15:32 19 A. As far as I remember, no, I have not been</p> <p>01:15:37 20 back in school.</p> <p>01:15:54 21 (Exhibit Number 25</p> <p>01:15:54 22 marked for identification)</p> <p>01:15:54 23 Q. Ms. Stevenson, I'm showing you another</p> <p>01:15:58 24 document, and I would ask that you take a look at</p>

Page 537	Page 539
<p>01:20:10 1 A. I see that number there.</p> <p>01:20:11 2 Q. And do you see the same number at the top of</p> <p>01:20:13 3 Exhibit 26?</p> <p>01:20:14 4 A. I see that number there and I see the</p> <p>01:20:18 5 number -- both 25 and 26.</p> <p>01:20:22 6 Q. You see a caption in the middle of number</p> <p>01:20:24 7 26? Can you read that into the record?</p> <p>01:20:26 8 A. It says "Notice of appeal."</p> <p>01:20:32 9 Q. Could you read the line just below that,</p> <p>01:20:34 10 please.</p> <p>01:20:35 11 A. "Plaintiff hereby appeals to the United</p> <p>01:20:43 12 States Court of Appeals."</p> <p>01:20:44 13 Q. Keep going, please.</p> <p>01:20:46 14 A. "For the 1st district from the judgment</p> <p>01:20:51 15 entered in this action."</p> <p>01:20:56 16 Q. And the rest of it, please.</p> <p>01:20:58 17 A. "On May 20th, 2003."</p> <p>01:20:59 18 Q. Okay. So do you recall filing a notice of</p> <p>01:21:01 19 appeal?</p> <p>01:21:02 20 A. I don't recall it.</p> <p>01:21:02 21 Q. So do you dispute that you, in fact, filed a</p> <p>01:21:06 22 lawsuit against Massachusetts School of Law?</p> <p>01:21:08 23 A. Didn't I just say I don't recall it?</p> <p>01:21:10 24 Q. Is that a no, you don't dispute it?</p>	<p>01:21:51 1 you in May 2003?</p> <p>01:21:52 2 A. That's right.</p> <p>01:22:13 3 (Exhibit Number 27</p> <p>01:22:13 4 marked for identification)</p> <p>01:22:15 5 Q. Ms. Stevenson, I'm showing you a document</p> <p>01:22:18 6 marked as Exhibit Number 27. Would you take a look</p> <p>01:22:20 7 at that, please.</p> <p>01:22:26 8 A. Okay. Exhibit Number 27.</p> <p>01:22:27 9 Q. And is that yet another document that</p> <p>01:22:30 10 reflects litigation of some sort?</p> <p>01:22:32 11 A. Is it?</p> <p>01:22:35 12 Q. I'm asking you.</p> <p>01:22:37 13 A. Okay. It's my first time seeing it. You've</p> <p>01:22:40 14 given it to me. Don't you know what you're giving</p> <p>01:22:42 15 me?</p> <p>01:22:42 16 Q. Your job here is not to ask me questions.</p> <p>01:22:45 17 A. But you've given this to me.</p> <p>01:22:47 18 Q. Your job is not to ask me questions. Your</p> <p>01:22:49 19 job is to answer my questions.</p> <p>01:22:51 20 A. Okay. What is it?</p> <p>01:22:52 21 Q. You see that the first line of this document</p> <p>01:22:53 22 reads "United States Bankruptcy Court," correct?</p> <p>01:22:56 23 A. Are we back on the bankruptcy thing again?</p> <p>01:22:58 24 Q. That's a yes or no question.</p>
Page 538	Page 540
<p>01:21:12 1 A. I don't recall it.</p> <p>01:21:13 2 Q. Do you dispute that it happened?</p> <p>01:21:16 3 A. I don't recall it.</p> <p>01:21:17 4 Q. That's not my question. My question is</p> <p>01:21:19 5 whether you dispute it.</p> <p>01:21:19 6 A. I don't recall it. I don't recall it to</p> <p>01:21:21 7 dispute it.</p> <p>01:21:22 8 Q. Do you have any specific recollection of not</p> <p>01:21:24 9 filing a lawsuit against Massachusetts School of</p> <p>01:21:26 10 Law?</p> <p>01:21:26 11 A. I don't recall it to even remember doing it</p> <p>01:21:28 12 or not doing it.</p> <p>01:21:29 13 Q. So one way or the other, you just don't</p> <p>01:21:31 14 remember?</p> <p>01:21:32 15 A. I don't remember.</p> <p>01:21:32 16 Q. And similarly, you don't recall one way or</p> <p>01:21:34 17 the other filing an appeal to the 1st Circuit U.S.</p> <p>01:21:38 18 Court of Appeals in that case?</p> <p>01:21:39 19 A. I thought we went over this at the first</p> <p>01:21:42 20 deposition. I thought -- I told you everything I</p> <p>01:21:46 21 remember.</p> <p>01:21:47 22 Q. So your answer is no, you have no recall --</p> <p>01:21:48 23 A. That's right.</p> <p>01:21:49 24 Q. -- of appealing a judgment entered against</p>	<p>01:22:59 1 A. Didn't I tell you I'm not answering any more</p> <p>01:23:01 2 bankruptcy?</p> <p>01:23:02 3 Q. Is the first line of the document "United</p> <p>01:23:04 4 States" --</p> <p>01:23:04 5 A. I don't recall this document.</p> <p>01:23:05 6 Q. I'm not asking you if you recall it. Does</p> <p>01:23:08 7 the first line of the document read "United States</p> <p>01:23:10 8 Bankruptcy Court"?</p> <p>01:23:11 9 A. Yeah. Are we back on bankruptcy again? I'm</p> <p>01:23:13 10 not going to do this.</p> <p>01:23:14 11 Q. Are you the petitioner of this bankruptcy?</p> <p>01:23:16 12 A. I'm not answering bankruptcy questions.</p> <p>01:23:18 13 Q. Do you see that this is an adversary</p> <p>01:23:20 14 proceeding in a bankruptcy involving you?</p> <p>01:23:22 15 A. I'm not answering bankruptcy questions.</p> <p>01:23:26 16 Q. Do you recognize Massachusetts School of Law</p> <p>01:23:30 17 listed among the defendants here?</p> <p>01:23:31 18 A. I'm not answering any more bankruptcy</p> <p>01:23:34 19 questions.</p> <p>01:23:35 20 Q. I'm asking you a question, Ms. Stevenson.</p> <p>01:23:37 21 A. I'm not answering any more bankruptcy</p> <p>01:23:39 22 questions.</p> <p>01:23:40 23 Q. You're refusing to answer my question?</p> <p>01:23:41 24 A. Ask me about my money.</p>

Janice L. Stevenson, Vol. 2

09/14/2006

Page 541	Page 543
<p>01:23:43 1 Q. I will decide what needs to be asked.</p> <p>01:23:45 2 A. Ask me something on the claim before the</p> <p>01:23:48 3 court.</p> <p>01:23:48 4 Q. I'm not going to allow you to direct how I</p> <p>01:23:51 5 defend my case.</p> <p>01:23:52 6 A. No more bankruptcy questions.</p> <p>01:23:53 7 Q. I'm not going to accept that limitation on</p> <p>01:23:56 8 my questioning.</p> <p>01:23:57 9 A. No more bankruptcy questions.</p> <p>01:23:58 10 Q. You can say that as many times as you want.</p> <p>01:24:01 11 It's not going to stop me from asking you questions.</p> <p>01:24:24 12 (Exhibit Number 28</p> <p>01:24:24 13 marked for identification)</p> <p>01:24:25 14 Q. All right. Ms. Stevenson, I'm showing you a</p> <p>01:24:27 15 document marked as Exhibit 28. Would you take a</p> <p>01:24:29 16 look at that, please.</p> <p>01:24:30 17 A. What is it?</p> <p>01:24:31 18 Q. I'm going to ask you that question. Please</p> <p>01:24:34 19 take a look at it.</p> <p>01:24:36 20 A. If you don't know and I don't know --</p> <p>01:24:37 21 Q. Ms. Stevenson, the point is not for you to</p> <p>01:24:40 22 probe my memory or my knowledge. The point is for</p> <p>01:24:42 23 you --</p> <p>01:24:43 24 A. Is this more bankruptcy? I'm not answering</p>	<p>01:25:31 1 Q. The purpose of the deposition is for me to</p> <p>01:25:33 2 conduct discovery about your claims.</p> <p>01:25:35 3 A. My claim is about my overtime wages.</p> <p>01:25:37 4 Q. Ms. Stevenson, I will decide the scope of</p> <p>01:25:39 5 this deposition.</p> <p>01:25:40 6 A. It's about my overtime wages. You want to</p> <p>01:25:43 7 ask me a question about that?</p> <p>01:25:45 8 Q. I will ask the questions that I see fit.</p> <p>01:25:47 9 A. I will answer what I feel is not wasting my</p> <p>01:25:49 10 time and deviating from my time.</p> <p>01:25:52 11 Q. What wastes time is you making these</p> <p>01:25:54 12 speeches.</p> <p>01:25:55 13 A. Move on.</p> <p>01:25:57 14 Q. So you're refusing on the record to answer</p> <p>01:25:59 15 the questions?</p> <p>01:25:59 16 A. I'm not answering questions about</p> <p>01:26:01 17 bankruptcy.</p> <p>01:26:01 18 Q. All right.</p> <p>01:26:02 19 A. Why don't you ask me some questions about</p> <p>01:26:04 20 overtime.</p> <p>01:26:04 21 Q. Don't tell me what questions to ask you.</p> <p>01:26:06 22 I'll --</p> <p>01:26:07 23 A. I got answers for that.</p> <p>01:26:08 24 Q. We'll get to it when I decide it's time to</p>
Page 542	Page 544
<p>01:24:45 1 bankruptcy cases.</p> <p>01:24:46 2 Q. Please look at the document.</p> <p>01:24:49 3 A. Outside of bankruptcy. Is it about</p> <p>01:24:51 4 bankruptcy?</p> <p>01:24:52 5 Q. Please look at the document.</p> <p>01:24:53 6 A. It's Exhibit Number 28. It's about</p> <p>01:24:56 7 bankruptcy. We're not going there.</p> <p>01:24:58 8 Q. You're not going to answer questions related</p> <p>01:25:00 9 to that document?</p> <p>01:25:01 10 A. Bankruptcy and my money. Come on.</p> <p>01:25:04 11 Q. Ms. Stevenson, are you going to answer</p> <p>01:25:06 12 questions related to that document or not?</p> <p>01:25:08 13 A. I want my money.</p> <p>01:25:08 14 Q. I'm not going to resolve that with you here</p> <p>01:25:11 15 today.</p> <p>01:25:11 16 A. I want my money. In the cases I'm reading,</p> <p>01:25:16 17 there are certain things the court wants to know to</p> <p>01:25:19 18 determine eligibility under the overtime law. Okay?</p> <p>01:25:22 19 That's what I thought we were going to resolve here.</p> <p>01:25:24 20 Q. We're not going to resolve anything here</p> <p>01:25:26 21 today, Ms. Stevenson. The purpose of this</p> <p>01:25:28 22 deposition --</p> <p>01:25:29 23 A. The purpose of this deposition was never to</p> <p>01:25:31 24 resolve this.</p>	<p>01:26:11 1 get to it.</p> <p>01:26:12 2 I'm showing you Exhibit 28 at page 3.</p> <p>01:26:16 3 There are several numbered paragraphs under the</p> <p>01:26:18 4 heading of "Massachusetts School of Law." Will you</p> <p>01:26:20 5 take a look at that, please.</p> <p>01:26:23 6 A. Is this on the bankruptcy?</p> <p>01:26:25 7 Q. I'm asking you to take a look at the</p> <p>01:26:26 8 document, please.</p> <p>01:26:27 9 A. No, I'm not answering anything on</p> <p>01:26:29 10 bankruptcy.</p> <p>01:26:29 11 Q. Well, the document that I've shown you,</p> <p>01:26:32 12 which I'll represent to you is a claim that you</p> <p>01:26:34 13 filed against --</p> <p>01:26:35 14 A. You know what, you can read this into the</p> <p>01:26:37 15 record on your own time.</p> <p>01:26:38 16 Q. Ms. Stevenson, I will make the statements</p> <p>01:26:40 17 and ask the questions that I see fit. I'm not going</p> <p>01:26:42 18 to let you control the scope of this deposition.</p> <p>01:26:44 19 A. Then you make a speech, then.</p> <p>01:26:46 20 Q. Ms. Stevenson, your job is only to respond</p> <p>01:26:49 21 to my questions.</p> <p>01:26:50 22 A. I have no answers for you.</p> <p>01:26:51 23 Q. You won't let me get the questions out. I'm</p> <p>01:26:55 24 showing you page 3 of Exhibit 28.</p>

35 (Pages 541 to 544)

Page 545	Page 547
<p>01:26:56 1 A. No, you're not.</p> <p>01:26:57 2 Q. What am I showing you?</p> <p>01:26:59 3 A. I have no idea. I'm not looking at it.</p> <p>01:27:01 4 Q. You're refusing to look at a document I've</p> <p>01:27:03 5 placed before you?</p> <p>01:27:04 6 A. I'm refusing to go along any questions that</p> <p>01:27:07 7 are not going to define my claim in front of the</p> <p>01:27:14 8 court. Okay?</p> <p>01:27:14 9 Q. No, it's not okay. In fact, it's</p> <p>01:27:17 10 categorically inappropriate. Your job here is just</p> <p>01:27:20 11 to respond truthfully.</p> <p>01:27:22 12 A. That's all I can do.</p> <p>01:27:23 13 Q. It's not all you can do. You're refusing to</p> <p>01:27:26 14 look at a document I've set in front of you?</p> <p>01:27:28 15 A. I'm not going to lie. You're not going to</p> <p>01:27:31 16 architect answers for your record.</p> <p>01:27:36 17 Q. For the record, Exhibit 28, page 3,</p> <p>01:27:38 18 paragraph 23, says, "Plaintiff passed admissions</p> <p>01:27:42 19 test for MSL," MSL being an abbreviation for</p> <p>01:27:47 20 Massachusetts School of Law. Does that refresh your</p> <p>01:27:48 21 recollection as to any other training you may have</p> <p>01:27:50 22 had?</p> <p>01:27:50 23 A. I just don't remember to give you an</p> <p>01:27:59 24 accurate answer.</p>	<p>01:28:47 1 Massachusetts School of Law?</p> <p>01:28:47 2 A. I've given the answer to that. I've</p> <p>01:28:50 3 answered that.</p> <p>01:28:50 4 Q. You have not answered that.</p> <p>01:28:52 5 A. I've answered that.</p> <p>01:28:53 6 Q. Again, do you deny attending the</p> <p>01:28:55 7 Massachusetts School of Law?</p> <p>01:28:55 8 A. I've answered that.</p> <p>01:28:59 9 Q. You have no recollection of --</p> <p>01:29:00 10 A. I've answered it.</p> <p>01:29:01 11 Q. Ms. Stevenson, you can't interrupt me. You</p> <p>01:29:03 12 have no recollection of attending law school, that's</p> <p>01:29:06 13 your testimony?</p> <p>01:29:06 14 A. I've given you truthful answers in regard to</p> <p>01:29:11 15 my recollection of my education when you asked me.</p> <p>01:29:14 16 Thank you.</p> <p>01:29:14 17 Q. And if you look at this document, it states</p> <p>01:29:16 18 that, in fact, you began law school in the fall</p> <p>01:29:19 19 semester of 2002. Is that accurate?</p> <p>01:29:22 20 A. My answer is on the record.</p> <p>01:29:27 21 Q. Do you deny that you began Massachusetts</p> <p>01:29:28 22 School of Law in the fall of 2002?</p> <p>01:29:30 23 A. My answer is on the record.</p> <p>01:29:31 24 Q. And we've marked two lawsuits that you</p>
Page 546	Page 548
<p>01:28:00 1 Q. So it's your testimony that you don't recall</p> <p>01:28:02 2 whether or not you attended the Massachusetts School</p> <p>01:28:04 3 of Law?</p> <p>01:28:04 4 A. I cannot give you a truthful answer on that.</p> <p>01:28:10 5 Q. You can't truthfully answer the question did</p> <p>01:28:12 6 you attend the Massachusetts School of Law? That's</p> <p>01:28:13 7 your testimony?</p> <p>01:28:14 8 A. You know what, I can't answer anything</p> <p>01:28:16 9 related to bankruptcy.</p> <p>01:28:17 10 Q. I haven't asked you anything about</p> <p>01:28:19 11 bankruptcy. I'm asking you about the Massachusetts</p> <p>01:28:21 12 School of Law.</p> <p>01:28:21 13 A. You said this is a bankruptcy document.</p> <p>01:28:23 14 Q. I made no such representation. But</p> <p>01:28:25 15 disregard the document. I'm asking you a question.</p> <p>01:28:27 16 Did you attend the Massachusetts School of Law?</p> <p>01:28:29 17 A. I've answered -- My answer is on the record.</p> <p>01:28:34 18 Come on.</p> <p>01:28:35 19 Q. You offered no response whatsoever to that</p> <p>01:28:37 20 question.</p> <p>01:28:37 21 A. Oh, yeah, oh, yeah, oh, yeah. I told you as</p> <p>01:28:40 22 best as I can remember, I've listed everything I can</p> <p>01:28:44 23 recall. Thank you.</p> <p>01:28:44 24 Q. So do you now deny attending the</p>	<p>01:29:34 1 initiated against Massachusetts School of Law</p> <p>01:29:38 2 relating to your attendance at that institution.</p> <p>01:29:38 3 A. I can't recall.</p> <p>01:29:41 4 Q. Let me finish the question. We've marked</p> <p>01:29:41 5 two documents reflecting two separate lawsuits you</p> <p>01:29:42 6 initiated against the Massachusetts School of Law</p> <p>01:29:44 7 relating to your attendance at that institution.</p> <p>01:29:47 8 And your testimony is despite those</p> <p>01:29:48 9 documents, despite attending Massachusetts School of</p> <p>01:29:51 10 Law in the last several years and despite suing them</p> <p>01:29:53 11 repeatedly, you have no recollection of attending</p> <p>01:29:56 12 law school? That's your testimony?</p> <p>01:29:57 13 A. I've answered you truthfully. My answer is</p> <p>01:29:59 14 on the record.</p> <p>01:30:17 15 (Exhibit Number 29</p> <p>01:30:17 16 marked for identification)</p> <p>01:30:57 17 Q. Ms. Stevenson, I'm now showing you a</p> <p>01:30:59 18 document I've marked as Exhibit 29. Is that</p> <p>01:31:01 19 familiar to you?</p> <p>01:31:02 20 A. No.</p> <p>01:31:02 21 Q. If I represent to you that that document</p> <p>01:31:04 22 reflects that you appealed an adverse ruling in the</p> <p>01:31:07 23 lawsuit we just looked at, would that refresh your</p> <p>01:31:09 24 memory?</p>

Janice L. Stevenson, Vol. 2

09/14/2006

Page 561	Page 563
<p>01:41:12 1 move on. 01:41:12 2 Q. I will not move on. 01:41:14 3 A. I don't recall it. If I couldn't tell you 01:41:16 4 at the last deposition and because -- 01:41:18 5 Q. I'm not asking you to recall. 01:41:20 6 A. Yes, you are. 01:41:20 7 Q. I'm asking you about a document sitting in 01:41:23 8 front of you right now. 01:41:24 9 A. It has nothing to do with my overtime claim. 01:41:28 10 I'm not going to look at it. 01:41:29 11 Q. You're refusing to look at the document? 01:41:31 12 A. That's it. 01:41:31 13 Q. I will represent to you that it is yet 01:41:34 14 another lawsuit that you initiated against the 01:41:35 15 Massachusetts School of Law in February of 2004. Do 01:41:37 16 you have any basis to dispute that? 01:41:39 17 A. I don't even remember that. 01:41:40 18 Q. You have no basis to dispute it? 01:41:42 19 A. I don't remember it. Was that a dispute, a 01:41:44 20 denial or omission? I don't know. I don't remember 01:41:48 21 that. 01:41:48 22 Q. So roughly two years ago you can't tell me 01:41:52 23 whether or not you initiated a lawsuit against 01:41:54 24 Massachusetts School of Law?</p>	<p>01:42:40 1 A. The next exhibit, you need to answer the 01:42:42 2 questions for me. 01:42:42 3 Q. Ms. Stevenson, I'm happy to let you put your 01:42:46 4 own story on the error. I've implored you to do 01:42:48 5 that, and you've refused. 01:42:50 6 A. I tried. You keep saying I'm lying. You 01:42:53 7 keep saying, That's not the answer I want. 01:42:56 8 Obviously, you want me to lie. 01:42:57 9 Q. There's no basis for that. I haven't told 01:42:59 10 you once that's not the answer I want. 01:43:01 11 A. Yes, you have. 01:43:01 12 Q. I have told you many times over and over 01:43:04 13 that I want truthful responses. 01:43:05 14 A. Yes, you have. And the truth I give you 01:43:07 15 isn't what you want to hear. 01:43:09 16 Q. That's because you're evading the questions. 01:43:11 17 A. No. Because you think I'm lying. It's not 01:43:16 18 really nice for you to call someone a liar in the 01:43:21 19 deposition. It really sours the atmosphere here. 01:43:24 20 Q. You've given your testimony thus far. Is it 01:43:26 21 your claim that you recall never taking any law 01:43:28 22 school classes anywhere ever? 01:43:28 23 A. My claim for this deposition is that I was 01:43:30 24 an employee --</p>
Page 562	Page 564
<p>01:41:55 1 A. I really can't. 01:41:55 2 Q. Okay. So we've now come up with four 01:41:59 3 different lawsuits involving you and the 01:42:02 4 Massachusetts School of Law. 01:42:02 5 A. That you want me to recall. I said -- I 01:42:05 6 told you I couldn't. 01:42:07 7 Q. And even having looked at the documents 01:42:09 8 pertaining to these four lawsuits, you have 01:42:11 9 absolutely no memory of attending the Massachusetts 01:42:14 10 School of Law? 01:42:14 11 A. Didn't I just tell you -- My answer is on 01:42:16 12 the record. Didn't I just tell you? 01:42:18 13 Q. I'm asking you if these documents refresh 01:42:21 14 your memory. Having looked at all the documents 01:42:23 15 I've set in front of you today -- 01:42:25 16 A. Nothing refreshes. 01:42:26 17 Q. So you currently have no recollection of 01:42:28 18 attending Massachusetts School of Law; is that 01:42:30 19 right? 01:42:30 20 A. I answered that. 01:42:31 21 Q. Okay. And your answer is no? 01:42:33 22 A. I answered that, but you can answer for me. 01:42:37 23 Q. I'm perfectly happy to have you answer the 01:42:39 24 questions if --</p>	<p>01:43:54 1 Q. No, Ms. Stevenson. I'm not asking you about 01:43:58 2 the claims in your suit. 01:44:00 3 A. -- at the Neighborhood House Charter School. 01:44:02 4 I worked overtime hours and they did not pay me. 01:44:04 5 But they didn't just not pay me. They didn't pay 01:44:09 6 anyone who worked overtime because they 01:44:10 7 misclassified employees. That's my claim. Ask me a 01:44:13 8 question about my claim. 01:44:15 9 Q. Ms. Stevenson, let me get the question out 01:44:17 10 before you start interrupting me and telling me it's 01:44:22 11 irrelevant, please. 01:44:23 12 The question is, is it your testimony 01:44:24 13 that you have no memory of ever taking a law school 01:44:27 14 class anywhere ever? 01:44:28 15 A. My answer is on the record. 01:44:32 16 Q. It's not, because that's the first time I've 01:44:34 17 asked you the question. 01:44:35 18 A. Yes, it is. You've asked it several ways. 01:44:38 19 Go back and read -- When she finishes this you'll 01:44:43 20 read it and see it several times. I'm not going to 01:44:46 21 keep answering the same question. 01:44:47 22 Q. You haven't answered that question once 01:44:48 23 because I've never asked it to you before. 01:44:51 24 A. It's a memory recall question. I've</p>

40 (Pages 561 to 564)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 565	Page 567
<p>01:44:53 1 answered it.</p> <p>01:44:54 2 Q. So the record is clear, you have no recall</p> <p>01:44:55 3 of ever attending a law school class?</p> <p>01:44:57 4 A. I've answered it.</p> <p>01:44:58 5 Q. You have not.</p> <p>01:44:59 6 A. Read the transcript. When she transcribes</p> <p>01:45:02 7 it, read it.</p> <p>01:45:02 8 Q. This will go much faster if you respond to</p> <p>01:45:05 9 the questions instead of fighting. You're the one</p> <p>01:45:08 10 that's wasting time. You can make this go forward</p> <p>01:45:11 11 with a yes or no answer to a very simple question.</p> <p>01:45:13 12 It's a yes or no question.</p> <p>01:45:15 13 A. I answered the question.</p> <p>01:45:15 14 Q. You just interrupted me again.</p> <p>01:45:17 15 A. It's the same question.</p> <p>01:45:18 16 Q. It's not the same question. Let's move past</p> <p>01:45:21 17 that.</p> <p>01:45:21 18 A. I answered it.</p> <p>01:45:21 19 Q. We can make this deposition move along if</p> <p>01:45:23 20 you'll just give me a yes or no response to the --</p> <p>01:45:25 21 A. Don't tell me how to answer. You want me to</p> <p>01:45:28 22 answer a certain way. Yes, you do.</p> <p>01:45:29 23 Q. No, I don't.</p> <p>01:45:30 24 A. You're trying to architect this record.</p>	<p>01:46:23 1 A. It's on the record. Read it.</p> <p>01:46:25 2 Q. You're complaining about me wasting your</p> <p>01:46:27 3 time. We've been sitting here for five minutes</p> <p>01:46:29 4 debating about whether or not you've answered this</p> <p>01:46:31 5 very simple question. If you answer the question,</p> <p>01:46:33 6 we can move on and we can get to other subject</p> <p>01:46:35 7 matter.</p> <p>01:46:35 8 A. Well, in my mind I've answered it.</p> <p>01:46:37 9 Q. Fine. If you believe you've answered it,</p> <p>01:46:39 10 answer it again.</p> <p>01:46:40 11 A. No. I don't think I'm compelled to answer</p> <p>01:46:44 12 twice.</p> <p>01:46:44 13 Q. All right. Then any complaints you have</p> <p>01:46:46 14 about this deposition being a waste of your time are</p> <p>01:46:49 15 going to fall back on you because you're in control</p> <p>01:46:52 16 of this thing moving forward in an efficient way.</p> <p>01:46:54 17 A. No. You told me you were.</p> <p>01:46:56 18 Q. I'm in control of the questions I ask. If</p> <p>01:46:59 19 you refuse to answer them and you force me to debate</p> <p>01:47:01 20 you for extended periods of time about whether or</p> <p>01:47:03 21 not you've answered a very simple question, this is</p> <p>01:47:05 22 going to take a long time and we're not going to get</p> <p>01:47:08 23 through it and we're going to be back here for a</p> <p>01:47:11 24 third day.</p>
Page 566	Page 568
<p>01:45:32 1 You're trying to design my answers. Stop it.</p> <p>01:45:35 2 Q. The only impact I have on --</p> <p>01:45:37 3 A. Stop it.</p> <p>01:45:38 4 Q. Don't tell me to stop it, Ms. Stevenson. I</p> <p>01:45:40 5 will ask the questions that I see fit.</p> <p>01:45:42 6 Now, the only interest I have in</p> <p>01:45:43 7 effecting your answers is making them simple and</p> <p>01:45:46 8 truthful. I'm going to ask you the simplest</p> <p>01:45:49 9 possible question. If you give it a simple answer</p> <p>01:45:51 10 rather than evading it, we can move on.</p> <p>01:45:53 11 The simple question is, do you have any</p> <p>01:45:55 12 recall as you sit here right now as to whether</p> <p>01:45:57 13 you've ever attended a law school class?</p> <p>01:45:59 14 A. I've answered it.</p> <p>01:46:00 15 Q. Answer it again, please.</p> <p>01:46:01 16 A. I've answered it. It's on the record.</p> <p>01:46:04 17 Q. It's not. Even assuming you're correct,</p> <p>01:46:06 18 just answer it again and we can move on. Do you</p> <p>01:46:08 19 recall ever attending a law school class?</p> <p>01:46:09 20 A. I have to answer questions, but I don't</p> <p>01:46:13 21 think I have to repeat a question if I've answered</p> <p>01:46:17 22 it once. Do you want me to change the answer from</p> <p>01:46:20 23 my last time?</p> <p>01:46:20 24 Q. No. I want you to answer it truthfully.</p>	<p>01:47:12 1 A. This is horrible. This proves nothing.</p> <p>01:47:15 2 This achieves nothing toward facilitating this case.</p> <p>01:47:20 3 How could you do that to your own client?</p> <p>01:47:23 4 Q. Ms. Stevenson, I have no interest in your</p> <p>01:47:25 5 opinion of my representation of my client. And if</p> <p>01:47:28 6 you want this thing to move forward and you want to</p> <p>01:47:30 7 save time, the easiest thing for you to do is</p> <p>01:47:33 8 cooperate. I'll ask this one last time.</p> <p>01:47:41 9 A. Why is this happening to me? That's what</p> <p>01:47:44 10 I'm going to ask. Why is this happening to me?</p> <p>01:47:47 11 Q. Because in addition to the seven lawsuits</p> <p>01:47:51 12 we've already marked --</p> <p>01:47:51 13 A. If the employee paid their employees their</p> <p>01:47:53 14 wages -- I've asked this. Why can't I just get my</p> <p>01:47:56 15 money?</p> <p>01:47:56 16 Q. Because you're not entitled to it.</p> <p>01:47:58 17 A. In your opinion.</p> <p>01:47:58 18 Q. Exactly. In my opinion.</p> <p>01:48:00 19 A. Okay. Fine.</p> <p>01:48:00 20 Q. And the reason that this is happening to you</p> <p>01:48:02 21 is because you've initiated a lawsuit. It's</p> <p>01:48:05 22 actually a question of law.</p> <p>01:48:06 23 A. No, it's not. It's an issue for --</p> <p>01:48:11 24 Q. You are sitting here and telling me you have</p>

41 (Pages 565 to 568)

Legalink Boston, a Merrill Communications Company
(617) 542-0039

6f17292b-b5fb-4467-9523-0d9097f86c8a

Janice L. Stevenson, Vol. 2

09/14/2006

Page 569	Page 571
<p>01:48:13 1 no recollection of whether or not you've ever 01:48:15 2 attended a law school class and then you're going to 01:48:17 3 presume to debate with me about a technical legal 01:48:19 4 matter. 01:48:20 5 A. I don't think I have to be a lawyer to have 01:48:21 6 an opinion about my own case. I had an opinion 01:48:23 7 about the settlement you wrote. I thought it was 01:48:25 8 screwy. I don't think you have to go to law school 01:48:29 9 to understand bad writing. 01:48:33 10 Q. I'm going to ask the question one more time. 01:48:35 11 A. Didn't I answer it? I've answered it. 01:48:37 12 Q. You, in fact, have not answered it. 01:48:39 13 A. I answered it. 01:48:40 14 Q. If you want to move on -- 01:48:42 15 A. I've answered it. 01:48:43 16 Q. Ms. Stevenson, you've got to let me get the 01:48:45 17 questions out. 01:48:45 18 A. The same questions. 01:48:46 19 Q. If you answer them, we'll move on -- 01:48:49 20 A. The same questions. 01:48:50 21 Q. Ms. Stevenson, you got to quit interrupting 01:48:52 22 me or we cannot make progress here. Do you 01:48:55 23 understand that? 01:48:55 24 A. (No verbal response)</p>	<p>01:49:52 1 Q. You understand, as we established in the 01:49:53 2 first session of your deposition, that NHCS -- 01:49:57 3 A. I don't deserve my money? 01:49:58 4 Q. You're walking all over the record here. 01:50:00 5 You're making a mess of the transcript, and you're 01:50:02 6 preventing us from making progress. 01:50:05 7 You understand, as we discussed at the 01:50:06 8 first session of your deposition, that NHCS's 01:50:08 9 position is you are not owed overtime. You 01:50:11 10 understood that and you said that at the first 01:50:12 11 session of your deposition. Do you now have a 01:50:14 12 different view? Do you not understand that NHCS 01:50:17 13 disputes your entitlement to overtime pay? 01:50:20 14 A. I guess that's why we're in court. 01:50:21 15 Q. Exactly. For the last time, do you recall 01:50:30 16 ever -- 01:50:30 17 A. Thank God. 01:50:32 18 Q. -- at any point in your life attending a law 01:50:38 19 school class? 01:50:38 20 A. My answer is already on the record. 01:50:40 21 Q. Well, our position is that you haven't 01:50:43 22 responded to that question. We're definitely going 01:50:46 23 to be going to the judge for relief on a variety of 01:50:49 24 responses that we believe to be improper, and we</p>
Page 570	Page 572
<p>01:48:59 1 Q. Do you understand what I'm explaining to you 01:49:01 2 here? We've got to talk one at a time. 01:49:03 3 A. I've answered the question. 01:49:04 4 Q. You've got to let me get the question out 01:49:06 5 before you can answer the question. 01:49:08 6 A. We've been talking about that one question 01:49:10 7 that you've asked me over and over and over again. 01:49:12 8 You've had several documents on this one thing. 01:49:14 9 I've answered it. 01:49:16 10 Q. You haven't answered it. 01:49:18 11 A. Obviously you want me to answer it the way 01:49:20 12 you want me to, but then I change my answers. I 01:49:23 13 gave you a blanket record. I told you you can put 01:49:26 14 it in. Okay? And you're still not happy. You're 01:49:29 15 an unhappy person. 01:49:30 16 Q. Ms. Stevenson, your job here is only to 01:49:37 17 answer the questions that I ask you. 01:49:38 18 A. I'm funny now. 01:49:40 19 Q. Yeah, that was funny. 01:49:41 20 It's not to critique my defense of my 01:49:42 21 client, it's not to argue with me, it's not to make 01:49:43 22 representations about my personality. 01:49:45 23 A. I don't think it's funny. I need my money. 01:49:48 24 You say I don't deserve my money.</p>	<p>01:50:52 1 will be seeking to compel a response to that, and we 01:50:55 2 will be asking for sanctions in the amount of our 01:50:59 3 legal fees caused by your obstructive conduct at 01:51:02 4 this deposition. 01:51:02 5 A. It's not obstructive. I'm telling you the 01:51:05 6 truth. 01:51:05 7 Q. I understand that's your position. We 01:51:06 8 certainly believe it to be obstructive. 01:51:07 9 A. You got enough witnesses here. Fine. You 01:51:10 10 can make your case. Come on. 01:51:12 11 (Exhibit Number 32 01:51:14 12 marked for identification) 01:51:15 13 A. You can't go for sanctions when we're still 01:51:17 14 sitting here. 01:51:39 15 Q. Ms. Stevenson, I'm showing you a document 01:51:41 16 marked as Exhibit 32. Would you take a look at that 01:51:43 17 for me, please. Ms. Stevenson, would you look at 01:51:52 18 the document, please. 01:51:53 19 A. I'm looking, but I don't see it. 01:51:55 20 Q. Well, I'm asking you to take a close look 01:51:58 21 and use the magnifying glass I've provided you if 01:52:01 22 you need assistance. 01:52:02 23 A. Who is this now? 01:52:03 24 Q. I'm asking you to take a look at that</p>

42 (Pages 569 to 572)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 605	Page 607
<p>02:21:01 1 A. You want me to familiarize with it. Just 02:21:04 2 because I read it, does that make it familiar to me? 02:21:07 3 Q. Please look at it. 02:21:08 4 A. I've looked at the document. 02:21:09 5 Q. Do you see that -- 02:21:10 6 A. No. 02:21:10 7 Q. You're refusing to look at it closely enough 02:21:13 8 to answer questions about it? 02:21:17 9 A. I don't remember seeing that. 02:21:17 10 Q. I haven't asked you whether you remember 02:21:19 11 seeing it. I'm not asking you that now. 02:21:19 12 A. But you asked me about the document. 02:21:22 13 Q. Exactly. Which is sitting in front of you 02:21:23 14 as we speak. The document sitting in front of you 02:21:26 15 as we speak -- keep in mind I'm not asking you any 02:21:30 16 question about your memory or recall -- does that 02:21:32 17 list you as the plaintiff in this lawsuit? 02:21:34 18 A. I wouldn't know. 02:21:34 19 Q. Does your name appear on the first page? 02:21:37 20 A. I don't see it. 02:21:37 21 Q. As I'm pointing to you on the first page, do 02:21:41 22 you see your name? 02:21:41 23 A. No. 02:21:42 24 Q. You don't see your name next to my finger on</p>	<p>02:22:30 1 A. It is. 02:22:31 2 Q. The question is this: Do you recall ever 02:22:33 3 being a prisoner -- 02:22:34 4 A. No. 02:22:34 5 Q. You have to let me get the question out. 02:22:36 6 A. I've answered the question. We've gone over 02:22:38 7 this before. 02:22:38 8 Q. You don't recall being a prisoner? 02:22:40 9 A. I've answered this. We've gone over it 02:22:44 10 before. 02:22:44 11 Q. So you're not going to answer the question? 02:22:46 12 A. I've answered it. Refer back to the record. 02:22:48 13 Q. Okay. And again, if I were to represent to 02:22:53 14 you that you appealed an adverse determination in 02:22:55 15 this case to the 1st Circuit Court of Appeals, you 02:22:58 16 have no basis to dispute that? 02:22:59 17 A. No recall. I wouldn't even remember it to 02:23:01 18 dispute it. 02:23:02 19 Q. You wouldn't remember one way or another? 02:23:03 20 A. I wouldn't remember it to dispute it. 02:23:05 21 Q. Okay. And if I were to represent to you 02:23:28 22 that another defendant in the lawsuit pertaining to 02:23:32 23 the document that I just showed you as Exhibit 36 02:23:34 24 was Dartmouth College, would that refresh your</p>
Page 606	Page 608
<p>02:21:44 1 this page? 02:21:44 2 A. No. 02:21:45 3 Q. Would you take a look at it, please. 02:21:47 4 A. Well, no. 02:21:47 5 Q. You're refusing to look at the document? 02:21:49 6 A. Yeah. 02:21:50 7 Q. I'll represent to you that this is another 02:21:53 8 lawsuit that you've commenced this time against the 02:21:56 9 state of New Hampshire in or about February 2003 and 02:22:01 10 that the nature of suit heading reads "Prisoner," 02:22:05 11 colon, "Civil rights." Does that refresh your 02:22:07 12 recollection as in -- regarding any litigation in 02:22:10 13 which you may have participated? 02:22:12 14 A. No. 02:22:12 15 Q. And again, you don't recall ever being a 02:22:14 16 prisoner? 02:22:15 17 A. I don't recall filing overtime wages in the 02:22:19 18 state of New Hampshire. 02:22:20 19 Q. That's not the question. 02:22:21 20 A. But I do recall filing overtime wages in 02:22:25 21 federal court in Massachusetts. 02:22:26 22 Q. That's not responsive to my question. 02:22:28 23 A. Yes, it is. 02:22:28 24 Q. It certainly is not.</p>	<p>02:23:37 1 recollection at all? 02:23:37 2 A. It wouldn't refresh it. 02:23:39 3 Q. So you don't recall any litigation against 02:23:41 4 Dartmouth College? 02:23:42 5 A. (No verbal response) 02:23:46 6 Q. Do you understand the question? 02:23:47 7 A. The same answer. It's on the record. 02:23:52 8 Q. You have a son that attended Dartmouth 02:23:58 9 College; is that right? 02:23:59 10 A. (No verbal response) 02:24:01 11 Q. Do you understand the question? 02:24:02 12 A. I'm not answering that question. 02:24:03 13 Q. Why? 02:24:04 14 A. Because it has nothing to do with my 02:24:06 15 overtime. 02:24:07 16 Q. So you're going to refuse to answer on the 02:24:10 17 grounds of relevance? 02:24:11 18 A. Yeah. 02:24:11 19 Q. I've told you before that's an inappropriate 02:24:14 20 objection. 02:24:14 21 A. You know what, I have not seen any question 02:24:16 22 here that ascertains that your client owes me money. 02:24:21 23 You don't want to resolve it. 02:24:22 24 Q. We've discussed this a number of times.</p>

51 (Pages 605 to 608)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 637	Page 639
<p>03:05:53 1 contention is that had certain withholdings been</p> <p>03:05:55 2 made that you believe are appropriate, your tax</p> <p>03:05:58 3 liability overall would be less?</p> <p>03:05:59 4 A. Yes, sir.</p> <p>03:05:59 5 Q. Will you turn to page 3 of that document for</p> <p>03:06:04 6 me, please.</p> <p>03:06:07 7 A. So is it, like, one, two, three?</p> <p>03:06:10 8 Q. The third page.</p> <p>03:06:12 9 A. Not including --</p> <p>03:06:14 10 Q. You see they're labeled at the top page X of</p> <p>03:06:18 11 19?</p> <p>03:06:18 12 A. 3 of 19?</p> <p>03:06:19 13 Q. Exactly. If you'd look at paragraph 3 of</p> <p>03:06:21 14 that page for me.</p> <p>03:06:27 15 A. Three.</p> <p>03:06:27 16 Q. Could you read that into the record, please.</p> <p>03:06:29 17 A. "NHCS failed to withhold or pay to the</p> <p>03:06:32 18 commissioner any sums required to be withheld or</p> <p>03:06:36 19 paid on my wages of \$43,000."</p> <p>03:06:39 20 Q. What is the source of that \$43,000 figure?</p> <p>03:06:43 21 A. The 17 in 2004 and the 26 in 2005 because</p> <p>03:06:51 22 I've asked -- well, I did my best to indicate that I</p> <p>03:06:57 23 want this year and last year in this one hearing.</p> <p>03:07:05 24 Q. You want to resolve both years at the same</p>	<p>03:08:20 1 include, but it's accurate within -- Yeah.</p> <p>03:08:23 2 Q. So the most that NHCS could have paid to</p> <p>03:08:26 3 TuckNT is \$43,500?</p> <p>03:08:28 4 A. Yeah. Four three four, something like that.</p> <p>03:08:32 5 Q. But it's something --</p> <p>03:08:33 6 A. Yes, sir.</p> <p>03:08:35 7 Q. -- in excess of \$43,000?</p> <p>03:08:37 8 A. Yes, sir. It depends if you count expenses</p> <p>03:08:39 9 or not.</p> <p>03:08:39 10 Q. Reimbursed expenses?</p> <p>03:08:41 11 A. Yes, sir.</p> <p>03:08:42 12 Q. Well, does this figure include reimbursed</p> <p>03:08:44 13 expenses?</p> <p>03:08:45 14 A. No.</p> <p>03:08:45 15 Q. So this is just the payment for invoices</p> <p>03:08:47 16 that we marked at the last session of your</p> <p>03:08:50 17 deposition?</p> <p>03:08:50 18 A. Yes.</p> <p>03:08:50 19 Q. And that was for services performed over a</p> <p>03:08:53 20 period of roughly nine months; is that right?</p> <p>03:08:54 21 A. From August through June --</p> <p>03:09:03 22 Q. It's the last week of August, right? The</p> <p>03:09:05 23 last week of August 2004 through the first week of</p> <p>03:09:08 24 June 2005. So it's --</p>
Page 638	Page 640
<p>03:07:08 1 time?</p> <p>03:07:08 2 A. Yes.</p> <p>03:07:10 3 Q. So \$43,000 is the total amount paid to</p> <p>03:07:13 4 TuckNT by NHCS?</p> <p>03:07:15 5 A. Total wages received, yes.</p> <p>03:07:17 6 Q. And we're talking about the checks that NHCS</p> <p>03:07:22 7 issued to TuckNT?</p> <p>03:07:23 8 A. And the 1099, yes.</p> <p>03:07:25 9 Q. So if you were to aggregate all the checks</p> <p>03:07:27 10 that NHCS wrote to TuckNT, it would be \$43,000?</p> <p>03:07:31 11 A. Yeah, more or less. More.</p> <p>03:07:32 12 Q. How precise is that number?</p> <p>03:07:33 13 A. It may be four cents off from one of the</p> <p>03:07:42 14 1099s. And then there was a check I received, but</p> <p>03:07:45 15 it was more expense instead of wages. One of my</p> <p>03:07:51 16 things included -- Documentation from NHCS does not</p> <p>03:07:57 17 include that \$400-plus check.</p> <p>03:07:59 18 Q. \$400?</p> <p>03:08:00 19 A. \$400-plus check. It was like 17,000</p> <p>03:08:06 20 four-something. That's how I compute it, but they</p> <p>03:08:09 21 reported 17.</p> <p>03:08:09 22 Q. So is it your testimony that this \$43,000</p> <p>03:08:12 23 figure is accurate within, say, \$500?</p> <p>03:08:14 24 A. It is. It's lower than what I would</p>	<p>03:09:11 1 A. We have the invoices. I don't have them to</p> <p>03:09:14 2 refer back to the first invoice date.</p> <p>03:09:16 3 Q. The first invoice date I'll represent to you</p> <p>03:09:19 4 was the last week of August 2004.</p> <p>03:09:20 5 A. Okay.</p> <p>03:09:21 6 Q. And you were providing services to the</p> <p>03:09:24 7 school through the first week of June 2005, right?</p> <p>03:09:27 8 A. Yes.</p> <p>03:09:27 9 Q. So we can agree that the period of time that</p> <p>03:09:30 10 you've provided services for which TuckNT was paid</p> <p>03:09:32 11 \$43,000-plus was roughly nine months?</p> <p>03:09:35 12 A. Yes.</p> <p>03:09:35 13 Q. And below there you see "Respectfully</p> <p>03:09:39 14 submitted" and a signature. Is that your signature?</p> <p>03:09:41 15 A. Uh-hmm.</p> <p>03:09:42 16 Q. Is that a yes?</p> <p>03:09:43 17 A. Yes.</p> <p>03:09:43 18 Q. Thank you. If you'll turn to attachment 3</p> <p>03:10:01 19 to me -- 3 for me, which begins on page 17 of 19.</p> <p>03:10:20 20 Do you see that document?</p> <p>03:10:20 21 A. Yes.</p> <p>03:10:20 22 Q. Is that familiar to you?</p> <p>03:10:22 23 A. Yes. Dated April --</p> <p>03:10:31 24 Q. Should that be April 15th, 2005?</p>

59 (Pages 637 to 640)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 641	Page 643
<p>03:10:35 1 A. That's when I sent it. I guess they looked 03:10:37 2 at it and says, Oh, she's going to file a year from 03:10:41 3 now. 03:10:41 4 Q. Well, you drafted this letter, right? 03:10:43 5 A. I did draft that letter. 03:10:44 6 Q. And you put at the top "April 15th, 2006," 03:10:46 7 but you meant to put "April 15th, 2005," right? 03:10:50 8 A. Yes, sir. That's too bad because I said 03:10:53 9 November. 03:10:55 10 Q. And this is a document in which you asked 03:10:58 11 the commissioner of revenue to investigate 03:11:00 12 Neighborhood House Charter School, right? 03:11:02 13 A. Well, you know what, this is the letter I 03:11:06 14 sent with my petition. 03:11:10 15 Q. Your abatement? 03:11:11 16 A. No. Appellate Court thing. 03:11:15 17 Q. The Appellate Tax Board filing? 03:11:16 18 A. Yes. So it must have been this year. 03:11:18 19 Q. So the date is accurate? 03:11:20 20 A. The date is accurate. 03:11:21 21 Q. And in this letter you're asking the 03:11:23 22 commissioner of revenue to investigate Neighborhood 03:11:26 23 House Charter School, correct? 03:11:27 24 A. Yes.</p>	<p>03:12:15 1 when we stood up in court. 03:12:16 2 Q. You represented to the court -- and I'll 03:12:18 3 just give you our understanding of the events -- 03:12:21 4 that you had initiated proceedings with the 03:12:23 5 Appellate Tax Board, and I apprised the court at 03:12:25 6 that time that we had no notice of any such filing. 03:12:28 7 You might remember that Judge Woodlock asked me 03:12:31 8 about it specifically. I told him that we hadn't. 03:12:33 9 A. I thought that was the ERISA. 03:12:36 10 Q. So you understand my representation that we 03:12:38 11 haven't seen these documents before? 03:12:40 12 A. Okay. But I'm almost sure you knew about 03:12:46 13 it. 03:12:47 14 Q. I'm just asking you if you understand. 03:12:49 15 A. If I gave it to -- If I had given it to 03:12:53 16 someone else at the school, would they have given it 03:12:55 17 to you? 03:12:55 18 Q. You can't count on that. Your obligation in 03:12:57 19 responding to our discovery requests is to send all 03:13:01 20 the responsive documents to me. Okay? 03:13:02 21 A. Okay. 03:13:03 22 Q. Again, I'm going to ask you to look through 03:13:05 23 your files. Anything that contains the words 03:13:07 24 "Neighborhood House Charter School" or pertains to</p>
Page 642	Page 644
<p>03:11:27 1 Q. And in fact, the first line of the letter 03:11:29 2 says, "Please investigate Neighborhood House Charter 03:11:31 3 School," correct? 03:11:32 4 A. Yes. 03:11:32 5 Q. So you understand that this document is 03:11:34 6 responsive to our document requests? We've 03:11:37 7 discussed the fact that our document requests for 03:11:39 8 purposes of your review in compiling documents 03:11:42 9 includes any document that has the word 03:11:44 10 "Neighborhood House Charter School" in it, right? 03:11:47 11 A. But you knew about this. 03:11:51 12 Q. Ms. Stevenson, there's no point for us to 03:11:54 13 debate it. The only point is for you to answer the 03:11:56 14 question. Okay? 03:11:56 15 A. I thought you had this. 03:11:58 16 Q. I'll represent to you I had never seen this 03:12:00 17 before yesterday. Now, you understand that 03:12:03 18 documents like this are responsive to our document 03:12:05 19 requests? 03:12:06 20 A. Okay. But -- 03:12:07 21 Q. I'm asking you a question. Do you 03:12:09 22 understand that? 03:12:09 23 A. Yes, but haven't I given you a copy of my -- 03:12:13 24 You had to have known about this. We knew about it</p>	<p>03:13:09 1 revenue that you or TuckNT received from 03:13:12 2 Neighborhood House Charter School is responsive to 03:13:14 3 our requests. Okay? 03:13:15 4 A. Okay. But, you know, in my mind I thought 03:13:17 5 you had this. 03:13:18 6 Q. Okay. In responding to our supplemental 03:13:21 7 request, I ask that you go back and produce more 03:13:23 8 documents. If there's any doubt in your mind as to 03:13:27 9 whether or not I have a document, just produce it 03:13:28 10 again. Okay? 03:13:29 11 A. Okay. 03:13:29 12 Q. And we marked and I'll send to you or I have 03:13:32 13 sent to you copies of the few documents that you 03:13:34 14 produced. We marked those as exhibits to the last 03:13:38 15 session of your deposition. Do you recall that? 03:13:40 16 A. You said you sent it to me. Yeah. 03:13:43 17 Q. You recall seeing them? 03:13:44 18 A. I haven't gotten them. 03:13:45 19 Q. But you recall seeing them at the last 03:13:46 20 session of your deposition? 03:13:47 21 A. Yeah, all the exhibits you showed me. 03:13:50 22 Q. Right. So unless it's included in the 03:13:51 23 exhibits that we've marked, you should assume that I 03:13:54 24 don't have it. Okay?</p>

60 (Pages 641 to 644)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 661	Page 663
<p>03:30:42 1 A. You know, the health provider. 03:30:43 2 Q. At what entity? 03:30:44 3 A. Is it Harvard Pilgrim? Whatever the health 03:30:50 4 plan was. 03:30:50 5 Q. You called the administrator of the health 03:30:52 6 plan? 03:30:52 7 A. I called that office, customer service, 03:30:54 8 yeah. 03:30:54 9 Q. And you figured out how to put somebody on 03:30:57 10 the COBRA rolls? 03:30:59 11 A. I know we had to process them out from the 03:31:01 12 regular, and there was a change in there. It just 03:31:06 13 told you. They didn't really train you. They just 03:31:09 14 told you, You have to go in and look at the codes 03:31:13 15 and figure out which one is most appropriate and get 03:31:15 16 it to take. 03:31:16 17 Q. You're talking about codes in NHCS's 03:31:19 18 accounting system? 03:31:20 19 A. Codes in -- We had a Web porter to the 03:31:25 20 database for this help provider, for the insurance 03:31:29 21 company. They gave you access to it. 03:31:32 22 So you go in and you change your 03:31:35 23 employee to a COBRA person. That's how they're 03:31:37 24 coded. So you have a list of people -- You have a</p>	<p>03:32:43 1 separate -- 03:32:43 2 A. Because of the system. The health care 03:32:46 3 database is how you -- I had to do it. It's not 03:32:50 4 because I wanted to. You had to in that system. 03:32:53 5 Q. Meaning, you had to go into the database 03:32:55 6 provided by the benefits-providing agency to switch 03:33:00 7 this person over to COBRA? 03:33:01 8 A. Yes, sir. It was a different code. 03:33:02 9 Q. And the benefits company sent NHCS a bill 03:33:06 10 for all of the employment benefits, and you had to 03:33:08 11 figure out a way to split out the people who were on 03:33:11 12 COBRA for bookkeeping purposes? 03:33:12 13 A. For bookkeeping and for accounts receivable, 03:33:15 14 because you had to indicate to them each year -- 03:33:18 15 each month how much it cost. They would get a bill. 03:33:22 16 If they had an e-mail, I would send it to them by 03:33:26 17 e-mail. They'd get a bill, then I'd receive it. 03:33:27 18 I'd go to QuickBooks against that invoice, received 03:33:30 19 the amount. It had to be all fancydancy. 03:33:33 20 Q. You had to figure out a way to meet all the 03:33:35 21 complications? 03:33:36 22 A. Yes. To reach the -- What was it, 03:33:39 23 compliance, account, general convoy, something, 03:33:43 24 blah, blah, blah. It was a headache.</p>
Page 662	Page 664
<p>03:31:41 1 bill under COBRA. 03:31:42 2 Q. You have a what? 03:31:43 3 A. You get a different -- You get a premium 03:31:45 4 under COBRA and then you get the regular employees. 03:31:49 5 So you got two notices. We paid them in one bill. 03:31:56 6 Q. When you say you got two notices, you mean 03:31:58 7 NHCS received two notices? 03:31:59 8 A. Yes, sir. 03:32:00 9 Q. You set it up so NHCS could pay those in a 03:32:04 10 collective way? 03:32:04 11 A. Yes. COBRA people pay us. 03:32:06 12 Q. You mean, people who are on COBRA? 03:32:08 13 A. Yes, sir. And we just paid the one premium. 03:32:11 14 They're going to bill us regardless of how the 03:32:13 15 person is classified. They're going to keep the 03:32:16 16 same premium. 03:32:17 17 We just had one bill, but we separated 03:32:19 18 it because you billed the person who was COBRA and 03:32:24 19 they sent you a check and you had to receive it in, 03:32:28 20 you know, as accounts receivable. You had to -- 03:32:31 21 Q. And you figured out how to do all the -- 03:32:33 22 A. I didn't know how to do accounts payable in 03:32:39 23 QuickBooks, how the dean processed it. 03:32:40 24 Q. You were the person who split it up into two</p>	<p>03:33:45 1 Q. Talking about the generally accepted 03:33:47 2 accounting principles? 03:33:48 3 A. Yeah. 03:33:48 4 Q. So you had to figure out a way to reconcile 03:33:51 5 this COBRA problem with the generally accepted 03:33:54 6 accounting principles? 03:33:55 7 A. Yes, on the QuickBooks. 03:33:56 8 Q. How did you do that? 03:33:57 9 A. Internet Google. 03:33:58 10 Q. So you just did Internet research on how to, 03:34:02 11 consistent with GAAP, record these payments and 03:34:06 12 split them out in a way that was compliant? 03:34:08 13 A. And with COBRA. COBRA says, What is 03:34:10 14 accounts receivable, how do you do it in the system? 03:34:13 15 And it was a code process for me because 03:34:19 16 I never done it before, but if I had to process it 03:34:19 17 in QuickBooks and Genevieve had to do the 03:34:25 18 reconciling, it had to make sense. You couldn't, 03:34:27 19 like -- You had to record it. 03:34:29 20 I wanted to have a record of monies that 03:34:31 21 came in because from that record the dean would run 03:34:37 22 out reports for the board. 03:34:38 23 Q. Okay. And was it two things you had to 03:34:42 24 resolve? Did you have to resolve the requirements</p>

65 (Pages 661 to 664)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 665	Page 667
<p>03:34:44 1 of COBRA with the GAAP? Is that what you're telling 03:34:47 2 me? 03:34:47 3 A. Yes. I had to make sure it was generally 03:34:50 4 acceptable accounting principles. I wasn't an 03:34:53 5 accountant. 03:34:53 6 Q. But you also had to look at the requirements 03:34:55 7 of the COBRA statute? 03:34:57 8 A. Yes. 03:34:57 9 Q. You had to bring those two things together? 03:34:58 10 A. Yes. 03:34:59 11 Q. And that had never been done before, so you 03:35:01 12 had to figure it out? 03:35:02 13 A. I hadn't done it before. 03:35:03 14 Q. It hadn't been done before at NHCS? 03:35:06 15 A. No, because they would just bring it 03:35:08 16 in-house. If we were ever audited, I didn't want me 03:35:16 17 looking bad. 03:35:16 18 Q. So you had to make sure that whatever 03:35:18 19 process was set up to take in and pay out COBRA 03:35:23 20 benefits was compliant with all of the relevant laws 03:35:27 21 and would withstand audit? 03:35:30 22 A. Yes, sir. 03:35:30 23 Q. How long did that take you? 03:35:31 24 A. You had to learn it. I don't know.</p>	<p>03:36:47 1 sucked in at one time. 03:36:47 2 Q. And you never, in fact, figured out how to 03:36:49 3 do it, or you just never got around to it? 03:36:50 4 A. I had figured it out, but I was terminated 03:36:53 5 by then. This was whoever came behind me. 03:36:57 6 Q. When NHCS carried people on payroll, do you 03:36:59 7 know if it charged a premium above the amount 03:37:01 8 actually charged by the benefits provider? 03:37:03 9 A. No, sir. Whatever we would charge was the 03:37:07 10 check we issued. 03:37:08 11 Q. So the people who were on the COBRA rolls 03:37:10 12 were paying the exact amount of the premiums charged 03:37:14 13 by the provider? 03:37:14 14 A. Yes. 03:37:17 15 Q. Did you have any other problems that you had 03:37:18 16 to resolve with signing people up for benefits? 03:37:20 17 A. The biggest thing we had coming on from FDNH 03:37:30 18 was the Teachers' Retirement System. 03:37:32 19 Q. Tell me about that. 03:37:35 20 A. Okay. It's a manual system. Nothing from 03:37:39 21 Ceridian can be imported into that system and 03:37:43 22 nothing from that system can be imported into 03:37:45 23 Ceridian. 03:37:45 24 Q. In an automatic way, is that what you're</p>
Page 666	Page 668
<p>03:35:38 1 Q. What's your best memory of how long it took 03:35:40 2 you? 03:35:40 3 A. A week, two, three. You had to get it down 03:35:45 4 because after Sylvia elected to do it, there was 03:35:47 5 another gentleman who elected to do it. 03:35:52 6 Q. So this came up more than once? 03:35:53 7 A. I had, like, two or three people at COBRA. 03:35:56 8 Q. Was it the same each time? 03:35:57 9 A. No. One was -- No. Some got dental, some 03:36:06 10 got family, some got family dental. 03:36:09 11 Q. So any of those complications, those 03:36:10 12 add-ons, you had to figure out how to reconcile with 03:36:13 13 GAAP, with COBRA, with all that stuff? 03:36:15 14 A. Each person did it differently. You had 03:36:18 15 access to those databases, and you had to change 03:36:24 16 them within the system. 03:36:27 17 My biggest headache was coming up to all 03:36:29 18 those new teachers coming in. How do you do a group 03:36:32 19 enrollment without clicking 15 times and entering -- 03:36:36 20 I think there was a group way you could do it, but I 03:36:40 21 was gone by then. It wasn't my headache. 03:36:41 22 Q. You were trying to figure out the most 03:36:43 23 efficient way to do it? 03:36:44 24 A. You could put a group in and it all got</p>	<p>03:37:48 1 talking about? 03:37:48 2 A. Yes, because you can export and import. So 03:37:53 3 what happened is, I'm assuming the payroll person 03:37:56 4 from Federated had updated the current year's base. 03:38:00 5 Q. And you're talking about the contributions 03:38:02 6 that the teachers need to make under the Teachers' 03:38:05 7 Retirement System? 03:38:05 8 A. Based on their monthly salary. 03:38:07 9 Q. And is that determined by a formula? 03:38:09 10 A. Yes, it is determined by a formula. When 03:38:12 11 they came in, new hires, blah, blah, blah. And the 03:38:15 12 guy taught you how to do that. I went to a class 03:38:19 13 for that. 03:38:19 14 Q. Where did you go to the class? 03:38:20 15 A. It was in Boston. It was in the North End 03:38:27 16 somewhere. 03:38:28 17 Q. Do you know what agency or company provided 03:38:29 18 the training? 03:38:30 19 A. The board, the Massachusetts Teachers' 03:38:34 20 Retirement Board. 03:38:35 21 Q. Okay. So you're telling me about the 03:38:36 22 formula that determines the contributions and the 03:38:39 23 benefits under the Massachusetts Teachers' 03:38:42 24 Retirement System?</p>

66 (Pages 665 to 668)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 673	Page 675
<p>03:43:25 1 A. At FDNH.</p> <p>03:43:27 2 Q. You were the only person providing services</p> <p>03:43:29 3 to NHCS who could solve this payroll issue involving</p> <p>03:43:33 4 the Massachusetts Teachers' Retirement Board?</p> <p>03:43:35 5 A. Yes, sir. And whoever the liaison was over</p> <p>03:43:40 6 at that board.</p> <p>03:43:41 7 Q. The Government employee?</p> <p>03:43:42 8 A. Yes, sir.</p> <p>03:43:43 9 Q. And we also talked about the payroll system</p> <p>03:43:46 10 and how you implemented the new Ceridian system</p> <p>03:43:48 11 after TuckNT took over from FDNH?</p> <p>03:43:51 12 A. Yes, sir.</p> <p>03:43:51 13 Q. Did anyone else at NHCS know how to do that?</p> <p>03:43:56 14 A. The dean was supposed to know.</p> <p>03:43:57 15 Q. Did he actually know?</p> <p>03:43:59 16 A. I don't think he actually knew.</p> <p>03:44:00 17 Q. So he didn't look over your shoulder and</p> <p>03:44:10 18 tell you how to do the stuff, you had to figure it</p> <p>03:44:10 19 out yourself?</p> <p>03:44:10 20 A. Yes, sir. I had to either call customer</p> <p>03:44:13 21 service at Ceridian or read the manual.</p> <p>03:44:17 22 Q. Or conduct Internet research or whatever</p> <p>03:44:20 23 else you needed to do to figure out how to make the</p> <p>03:44:22 24 systems work the way they needed to work?</p>	<p>03:45:31 1 compliance.</p> <p>03:45:32 2 Q. How did you come to find that out?</p> <p>03:45:33 3 A. SHRM.</p> <p>03:45:37 4 Q. So through the courses you'd taken at the</p> <p>03:45:40 5 Society for Human Resources Management you developed</p> <p>03:45:43 6 an understanding of what the Fair Labor Standards</p> <p>03:45:46 7 Act required and you looked at the payroll system</p> <p>03:45:49 8 that NHCS actually had in place and you determined</p> <p>03:45:51 9 based on your own understanding that it didn't</p> <p>03:45:53 10 comply?</p> <p>03:45:54 11 A. Well, yeah. And I told the dean these</p> <p>03:45:57 12 didn't comply. If there was an audit and these</p> <p>03:46:01 13 records were together, the Department of Labor would</p> <p>03:46:04 14 come in and -- they told me the last thing should</p> <p>03:46:08 15 have been separated and that some things needed to</p> <p>03:46:11 16 be kept that we didn't have. The I-9s were in</p> <p>03:46:15 17 horrible shape. What can you say? Some of these</p> <p>03:46:17 18 were years old.</p> <p>03:46:18 19 Q. And these were all problems that you</p> <p>03:46:20 20 recognized based on your training. They weren't</p> <p>03:46:22 21 something that someone else told you needed to be</p> <p>03:46:24 22 done?</p> <p>03:46:24 23 A. Based on what I had read.</p> <p>03:46:28 24 Q. And the preparations you made to get the PHR</p>
Page 674	Page 676
<p>03:44:24 1 A. Yes, sir.</p> <p>03:44:24 2 Q. Is that why you believe you needed to work</p> <p>03:44:29 3 so many hours?</p> <p>03:44:30 4 A. No, that wasn't why I worked so many hours.</p> <p>03:44:35 5 I worked so many hours because -- I think we briefly</p> <p>03:44:41 6 discussed -- Remember when in August 2004 a lot of</p> <p>03:44:44 7 changes happened to payroll records?</p> <p>03:44:46 8 Q. You're talking about the August 2004 changes</p> <p>03:44:48 9 to the regulations governing the Fair Labor</p> <p>03:44:51 10 Standards Act?</p> <p>03:44:52 11 A. Yes, sir.</p> <p>03:44:52 12 Q. Okay.</p> <p>03:44:53 13 A. And then when it came over to us I realized</p> <p>03:44:56 14 that a lot of the master payroll that's required by</p> <p>03:44:58 15 law was not there.</p> <p>03:44:59 16 Q. You mean, information that needed to be</p> <p>03:45:04 17 recorded in conjunction with the school's payroll</p> <p>03:45:06 18 function because the Fair Labor Standards Act wasn't</p> <p>03:45:09 19 being kept?</p> <p>03:45:09 20 A. And because the law says that it has to be a</p> <p>03:45:14 21 master record for people you paid and it had to</p> <p>03:45:19 22 include name, address and blah, blah, blah, blah.</p> <p>03:45:22 23 At least it had to be a minimum. A lot of that was</p> <p>03:45:26 24 not there. A lot of the payroll records were not in</p>	<p>03:46:31 1 certification?</p> <p>03:46:31 2 A. Yeah.</p> <p>03:46:35 3 Q. Any other problems that you had to resolve</p> <p>03:46:37 4 with respect to payroll?</p> <p>03:46:38 5 A. No. Once you learned it and once -- Because</p> <p>03:46:46 6 there was a worksheet I used to make sure that my</p> <p>03:46:50 7 numbers matched what was in Ceridian so the payroll</p> <p>03:46:53 8 would come out right the first time.</p> <p>03:46:56 9 Q. So no other problems in terms of</p> <p>03:46:58 10 implementing the payroll system or keeping it going?</p> <p>03:47:00 11 A. No. It was just you did it. To me it was</p> <p>03:47:09 12 always a problem, but you just did it.</p> <p>03:47:11 13 Q. So each time you ran payroll were there</p> <p>03:47:13 14 certain problems you had to resolve?</p> <p>03:47:15 15 A. Only if someone had -- My biggest thing was</p> <p>03:47:21 16 determining this bonus pay some teachers would get</p> <p>03:47:25 17 because when you put it in and I looked at it,</p> <p>03:47:27 18 sometimes that net pay was lower, so I had to make a</p> <p>03:47:30 19 decision to run it on a separate check.</p> <p>03:47:32 20 You could either include it with the</p> <p>03:47:34 21 same amount and somehow we got taxed more or you put</p> <p>03:47:38 22 it in a separate check, same payroll, put that 25</p> <p>03:47:42 23 percent. It didn't interfere with their check. It</p> <p>03:47:49 24 was preference, whichever was more beneficial to the</p>

68 (Pages 673 to 676)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 677	Page 679
<p>03:47:51 1 employee.</p> <p>03:47:52 2 Q. And it was a logistical issue where you had</p> <p>03:47:55 3 to figure out where the tax consequences to the</p> <p>03:47:58 4 employee would be most favorable?</p> <p>03:48:00 5 A. Yes, sir.</p> <p>03:48:00 6 Q. Was anyone helping you with that?</p> <p>03:48:01 7 A. No, sir, there was no one there to help me.</p> <p>03:48:03 8 Q. Okay.</p> <p>03:48:04 9 A. Pam had her chores. I was by myself. If I</p> <p>03:48:08 10 didn't call Ceridian or Jeanne --</p> <p>03:48:10 11 Q. Jeanne at FDNH?</p> <p>03:48:12 12 A. Jeanne at FDNH. It's like, figure it out.</p> <p>03:48:16 13 Man up.</p> <p>03:48:17 14 Q. Did Dean Chokshi ever help you solve any of</p> <p>03:48:21 15 these problems?</p> <p>03:48:21 16 A. No.</p> <p>03:48:22 17 Q. Do you think he could have if he wanted to?</p> <p>03:48:23 18 A. He probably could, but come on, he had his</p> <p>03:48:26 19 own stuff to do.</p> <p>03:48:27 20 Q. So he wasn't monitoring your progress on any</p> <p>03:48:30 21 of this stuff. He just assumed you would get it</p> <p>03:48:32 22 done?</p> <p>03:48:33 23 A. He assumed it would be done. And that was</p> <p>03:48:35 24 my expectation. Just do it. Whatever it takes,</p>	<p>03:49:48 1 for the school to get the payroll right?</p> <p>03:49:50 2 A. For the school and under the administration.</p> <p>03:49:53 3 And it was a lot of pressure.</p> <p>03:49:55 4 Q. And do you think you were primarily</p> <p>03:49:56 5 responsible for that accomplishment? Did anyone</p> <p>03:50:01 6 else at the school really contribute to it?</p> <p>03:50:03 7 A. No.</p> <p>03:50:03 8 Q. So it was all you?</p> <p>03:50:05 9 A. It was all me. It was a lot of pressure.</p> <p>03:50:07 10 Q. Anything else in terms of issues you</p> <p>03:50:12 11 resolved with payroll?</p> <p>03:50:13 12 A. None I can think of specifically. When I</p> <p>03:50:18 13 think of payroll right now, I shudder. I don't know</p> <p>03:50:23 14 if I'd rather stay unemployed or do payroll. No, I</p> <p>03:50:26 15 don't want to do payroll no more.</p> <p>03:50:28 16 Q. Because it's so complicated and so many</p> <p>03:50:31 17 things can go wrong?</p> <p>03:50:31 18 A. First of all, there's a lot of compliance</p> <p>03:50:34 19 with payroll.</p> <p>03:50:34 20 Q. In terms of complying with federal and state</p> <p>03:50:36 21 law?</p> <p>03:50:37 22 A. Federal and state law. And then there is --</p> <p>03:50:40 23 Well, you know, state law determined wages. The</p> <p>03:50:43 24 dean and I was like, Oh, we can pay them this. We</p>
Page 678	Page 680
<p>03:48:40 1 just do it.</p> <p>03:48:41 2 Q. You didn't think you needed any supervision,</p> <p>03:48:43 3 you could figure it out?</p> <p>03:48:44 4 A. I was supervised because I was accountable.</p> <p>03:48:46 5 Q. You were accountable for the ultimate</p> <p>03:48:48 6 outcome of the few areas of responsibility that you</p> <p>03:48:51 7 had?</p> <p>03:48:51 8 A. That's right. If it went wrong, come on. I</p> <p>03:48:53 9 don't want -- Pick a check that you want to come out</p> <p>03:48:56 10 wrong. You don't want that responsibility of</p> <p>03:48:58 11 someone not getting a check, a wrong check. So it</p> <p>03:49:03 12 was like, Okay. Everyone has to get a correct</p> <p>03:49:10 13 check.</p> <p>03:49:10 14 But see, we had this -- See, there was</p> <p>03:49:16 15 such bad blood with payroll that we had this</p> <p>03:49:21 16 standard that if you don't get it right, it's never</p> <p>03:49:25 17 been right before. So it was like you felt this</p> <p>03:49:28 18 pressure to -- So when the first one came out right,</p> <p>03:49:32 19 Okay. The second one came out right, Okay. The</p> <p>03:49:36 20 third one came out right, there may be a pattern</p> <p>03:49:40 21 here because they had never had correct payroll.</p> <p>03:49:43 22 They said they would go over there and it would be</p> <p>03:49:45 23 like pulling teeth.</p> <p>03:49:46 24 Q. That was a pretty significant accomplishment</p>	<p>03:50:48 1 had this big discussion. He was going to go ahead</p> <p>03:50:50 2 and give people who had not accrued sick and</p> <p>03:50:54 3 vacation time their vacation. He says, We will take</p> <p>03:50:57 4 it out if they leave early. I says, We can't do</p> <p>03:51:01 5 that. He says, Yes, we can.</p> <p>03:51:03 6 So I had to go pull state law that says</p> <p>03:51:05 7 unless they agreed to it, unless they signed -- we</p> <p>03:51:09 8 can't do it. He says, I didn't know that.</p> <p>03:51:11 9 Q. So you had to educate Dean Chokshi on the</p> <p>03:51:14 10 requirements of state law to make sure the payroll</p> <p>03:51:16 11 got done right?</p> <p>03:51:17 12 A. And even though he knew, sometimes he still</p> <p>03:51:19 13 wanted you to do stuff that I felt uncomfortable</p> <p>03:51:22 14 doing.</p> <p>03:51:22 15 Q. So you had to advise him on what you thought</p> <p>03:51:25 16 was the best way to do payroll?</p> <p>03:51:27 17 A. I had to advise him and just go ahead and do</p> <p>03:51:29 18 it because I'm -- If I process a payroll and I have</p> <p>03:51:37 19 a document or I don't have any verification or some</p> <p>03:51:42 20 sort of authorization to do it, I'm uncomfortable</p> <p>03:51:46 21 doing it.</p> <p>03:51:48 22 The law says you can only pay this</p> <p>03:51:51 23 person, but you must have this. Come on. That's as</p> <p>03:51:54 24 specific as you can get. But you're given orders to</p>

69 (Pages 677 to 680)

Janice L. Stevenson, Vol. 2

09/14/2006

Page 681	Page 683
<p>03:51:58 1 do something else. No.</p> <p>03:51:59 2 Q. So we discussed you were solely responsible</p> <p>03:52:01 3 for those compliance issues with payroll; is that</p> <p>03:52:04 4 right?</p> <p>03:52:04 5 A. Well, yes. Making him aware of them and</p> <p>03:52:09 6 making employees aware of them.</p> <p>03:52:11 7 Q. Making sure that it was actually done right?</p> <p>03:52:13 8 A. Well, yeah. According to the law. And</p> <p>03:52:16 9 maybe someone with experience would not have cared,</p> <p>03:52:19 10 but I didn't have experience, so I had to care.</p> <p>03:52:21 11 Q. You had to use the training you had taken up</p> <p>03:52:24 12 in preparation for the PHR certificate to sort of</p> <p>03:52:27 13 train yourself up and apply those skills?</p> <p>03:52:30 14 A. And then the dean says, you know, This has</p> <p>03:52:34 15 become a headache.</p> <p>03:52:35 16 Q. The compliance issues?</p> <p>03:52:36 17 A. Yes.</p> <p>03:52:37 18 Q. Because they had not done that previously?</p> <p>03:52:39 19 A. Yeah. No one cared previously. I says,</p> <p>03:52:46 20 There's a difference when there's a third party you</p> <p>03:52:50 21 can point to, but right now it's in our lap.</p> <p>03:52:51 22 Q. In your lap, you mean?</p> <p>03:52:53 23 A. Yeah, specifically me.</p> <p>03:52:54 24 Q. Now, we've discussed the payroll function in</p>	<p>03:53:48 1 have to comply in signing people up?</p> <p>03:53:49 2 A. Yes, sir. Each one had its own quirk to it,</p> <p>03:53:54 3 and each one had its own log in, each one had its</p> <p>03:53:57 4 own manual. You know, you had to -- To work in that</p> <p>03:54:05 5 database you had to do it according to its rules.</p> <p>03:54:10 6 Q. Did you have to have an understanding of the</p> <p>03:54:10 7 benefits that that provider was making available in</p> <p>03:54:13 8 order to sign people up?</p> <p>03:54:13 9 A. I didn't have an understanding to begin</p> <p>03:54:16 10 with, but as you work with them, you heard people</p> <p>03:54:17 11 saying, Oh, you know, it's a dog, or, It's not worth</p> <p>03:54:21 12 it, or some of them they like, some of them I didn't</p> <p>03:54:24 13 because I didn't participate in it.</p> <p>03:54:25 14 Q. You're talking about the specific benefits</p> <p>03:54:27 15 that were available from each provider and the</p> <p>03:54:29 16 options that people have?</p> <p>03:54:32 17 A. Yes.</p> <p>03:54:32 18 Q. And through administering those benefits you</p> <p>03:54:34 19 eventually became familiar with them?</p> <p>03:54:35 20 A. Familiar with the -- Yes. It's reputation.</p> <p>03:54:39 21 Q. How many months would you say it took you</p> <p>03:54:44 22 until you were fully familiar with those benefits</p> <p>03:54:48 23 providers?</p> <p>03:54:49 24 A. Probably toward April, May. Six months into</p>
Page 682	Page 684
<p>03:52:59 1 some detail. Before we get into details, you also</p> <p>03:53:02 2 provided accounts payable services through TuckNT to</p> <p>03:53:06 3 NHCS, correct?</p> <p>03:53:08 4 A. Yes.</p> <p>03:53:08 5 Q. And accounts receivable services through --</p> <p>03:53:10 6 A. Yes, sir.</p> <p>03:53:10 7 Q. -- TuckNT to NHCS?</p> <p>03:53:14 8 A. Yes, sir.</p> <p>03:53:14 9 Q. We talked about benefits enrollment?</p> <p>03:53:17 10 A. Yes. 401(k), health, dental, life</p> <p>03:53:20 11 insurance.</p> <p>03:53:20 12 Q. Okay. You told me about how you went about</p> <p>03:53:23 13 the enrollments for the Teachers' Retirement System?</p> <p>03:53:26 14 A. Yes, sir.</p> <p>03:53:27 15 Q. Were there similar issues with the other</p> <p>03:53:29 16 benefits that you just mentioned?</p> <p>03:53:30 17 A. No. If they elected to take them, they were</p> <p>03:53:35 18 enrolled in them.</p> <p>03:53:36 19 Q. Did you specifically enroll them?</p> <p>03:53:37 20 A. Yes, sir.</p> <p>03:53:38 21 Q. How did you go about them?</p> <p>03:53:40 22 A. You're given access to each provider's</p> <p>03:53:42 23 Website and you put the employee in.</p> <p>03:53:44 24 Q. And are there any strictures with which you</p>	<p>03:54:52 1 it, seven months into it.</p> <p>03:54:54 2 Q. By then you felt like you had a good</p> <p>03:54:55 3 understanding of each of the benefits plans and the</p> <p>03:54:59 4 employees' options?</p> <p>03:55:00 5 A. Yes, sir.</p> <p>03:55:00 6 Q. Did you ever have to resolve any issues</p> <p>03:55:04 7 related to enrolling people in benefits other than</p> <p>03:55:07 8 the Teachers' Retirement Board problem we talked</p> <p>03:55:10 9 about?</p> <p>03:55:10 10 A. Other than making sure that they changed</p> <p>03:55:15 11 your agency because if they were a Boston public</p> <p>03:55:19 12 school, they had to go in as -- in that database</p> <p>03:55:25 13 themselves and say, I'm no longer with Boston public</p> <p>03:55:29 14 schools. I'm at Neighborhood House, because it's</p> <p>03:55:31 15 considered its own school district. You had to make</p> <p>03:55:36 16 sure new teachers enrolled in it.</p> <p>03:55:40 17 Q. New teachers enrolled in the benefits</p> <p>03:55:42 18 programs?</p> <p>03:55:42 19 A. In the retirement, if they had never taught</p> <p>03:55:46 20 before. If they had taught before, you had to make</p> <p>03:55:48 21 sure that they changed the agencies. That was a big</p> <p>03:55:51 22 issue.</p> <p>03:55:52 23 Q. How did you go about administrating that?</p> <p>03:56:00 24 A. Well, for the first group that came in, the</p>

70 (Pages 681 to 684)

Page 689	Page 691
<p>04:00:13 1 Q. And did you get involved in that situation</p> <p>04:00:15 2 in any way?</p> <p>04:00:16 3 A. I don't know if I called -- I think I called</p> <p>04:00:22 4 Department of Education and they said, Well, if</p> <p>04:00:24 5 she's already working at the school, she has this ID</p> <p>04:00:27 6 number, because I think they wanted her to generate</p> <p>04:00:30 7 something. PSI wanted her to have something.</p> <p>04:00:33 8 I said, If she's getting a check from a</p> <p>04:00:36 9 school, she has an ID number on that. Even if she</p> <p>04:00:39 10 didn't have a social, something that they take taxes</p> <p>04:00:41 11 from. And we can use that in our system.</p> <p>04:00:45 12 Q. And you figured out how to reconcile the</p> <p>04:00:48 13 compliance issues even though this person didn't</p> <p>04:00:51 14 have a technically compliant I-9; is that what</p> <p>04:00:54 15 you're telling me?</p> <p>04:00:54 16 A. Yeah, a technically compliant, because PSI</p> <p>04:00:57 17 manager brought it to me and I posed it to another</p> <p>04:01:00 18 agency, like the Department of Education, and they</p> <p>04:01:02 19 told me, If she has this, that's good.</p> <p>04:01:05 20 So I told her, Per this person, if she</p> <p>04:01:08 21 has this, this is good. It was up to the manager to</p> <p>04:01:12 22 get it from her and give it to me, because I</p> <p>04:01:15 23 couldn't put it into my system without that</p> <p>04:01:17 24 information.</p>	<p>04:02:11 1 general information, a place for their licenses or</p> <p>04:02:15 2 certificates, a place for even -- I didn't realize</p> <p>04:02:21 3 this, but the drug test information had to be in a</p> <p>04:02:25 4 separate thing.</p> <p>04:02:26 5 Q. So you're actually talking about the</p> <p>04:02:28 6 confluence of a bunch of different regulations?</p> <p>04:02:31 7 A. Yes.</p> <p>04:02:31 8 Q. And you had to figure out how those come</p> <p>04:02:34 9 together and then make up the personnel files?</p> <p>04:02:36 10 A. Yes. To make sure when someone hands you a</p> <p>04:02:39 11 personnel file or someone had to review it they</p> <p>04:02:41 12 wasn't seeing information that was restricted from</p> <p>04:02:44 13 being seen outside of employment, drug test</p> <p>04:02:49 14 information or --</p> <p>04:02:49 15 Q. Basically, you just had to ensure that NHCS</p> <p>04:02:55 16 complied with all of these various federal laws?</p> <p>04:02:58 17 A. Yes.</p> <p>04:02:58 18 Q. Did you set up a personnel file for</p> <p>04:03:04 19 yourself, Ms. Stevenson, or did you not because</p> <p>04:03:05 20 TuckNT was a vendor?</p> <p>04:03:07 21 A. No. I was in accounts payable.</p> <p>04:03:09 22 Q. So because you were providing services to</p> <p>04:03:12 23 the school through TuckNT you didn't need to set up</p> <p>04:03:15 24 a personnel file for yourself?</p>
Page 690	Page 692
<p>04:01:17 1 Q. Okay. So you told them what you needed</p> <p>04:01:19 2 regarding this woman?</p> <p>04:01:20 3 A. Yes, sir.</p> <p>04:01:21 4 Q. And did they ever actually give it to you?</p> <p>04:01:23 5 A. I think they did.</p> <p>04:01:23 6 Q. Okay. And then you determined that NHCS and</p> <p>04:01:27 7 PSI were in compliance with all the applicable</p> <p>04:01:31 8 regulations?</p> <p>04:01:31 9 A. Yes, sir.</p> <p>04:01:32 10 Q. Other human resources-related functions, did</p> <p>04:01:37 11 you, for example, make up personnel files?</p> <p>04:01:39 12 A. Yeah, you had to initiate a personnel file.</p> <p>04:01:42 13 Q. And when you say "you," you mean you,</p> <p>04:01:45 14 Ms. Stevenson, put together personnel files?</p> <p>04:01:48 15 A. Yes.</p> <p>04:01:48 16 Q. What did you do to do that?</p> <p>04:01:49 17 A. Well, I had to determine exactly what needed</p> <p>04:01:51 18 to be in there and what didn't need to be in there.</p> <p>04:01:54 19 Q. How did you do that?</p> <p>04:01:55 20 A. Research.</p> <p>04:01:56 21 Q. Again, Internet-type research?</p> <p>04:01:58 22 A. Internet-type research, no. I-9s should not</p> <p>04:02:04 23 be in with the personnel file. It should be by</p> <p>04:02:06 24 itself. And then there should be a place for just</p>	<p>04:03:16 1 A. No, sir.</p> <p>04:03:17 2 Q. And you didn't, in fact, do that?</p> <p>04:03:19 3 A. No. It wasn't my understanding that I</p> <p>04:03:24 4 should or could.</p> <p>04:03:26 5 Q. Based on the fact that you had your company,</p> <p>04:03:29 6 and your company was the entity through which you</p> <p>04:03:31 7 were providing services to NHCS?</p> <p>04:03:33 8 A. Yeah. And it wasn't considered an employee.</p> <p>04:03:36 9 Q. Okay. Any other HR functions that you</p> <p>04:03:40 10 performed?</p> <p>04:03:41 11 A. Other than also suggest that certain</p> <p>04:03:50 12 employees didn't meet exempt status just because</p> <p>04:03:53 13 you're called a manager. It wasn't based on title</p> <p>04:03:56 14 anymore. It was based on duties.</p> <p>04:03:58 15 Q. And again, you're talking about your</p> <p>04:04:02 16 understanding and interpretation of the August 2004</p> <p>04:04:06 17 regulations governing the FLSA?</p> <p>04:04:06 18 A. Yeah. The way it read, it was duties. We</p> <p>04:04:09 19 had a lot of people who weren't managers with the</p> <p>04:04:11 20 job title managers.</p> <p>04:04:13 21 Q. And so you informed some individual that you</p> <p>04:04:14 22 thought there might be FLSA exemption compliance</p> <p>04:04:18 23 issues as to those people?</p> <p>04:04:19 24 A. The dean and --</p>

72 (Pages 689 to 692)